

The  
American Historical Review

HOTMAN AND THE "FRANCO-GALLIA"

"AS long as the world remains a world," quaintly observes Pierre Bayle, "there will everywhere be ambulatory doctrines dependent on times and places,—true birds of passage which are in one country during the summer and in another during the winter,—wandering lights that, like the Cartesian comets, illuminate successively several vortices."<sup>1</sup>

The words of the great critic were uttered with primary reference to the doctrine of the passive obedience due by subjects to their prince and to the attitude of the Huguenots, and especially of their foremost writer on jurisprudence, François Hotman, to that doctrine. For it cannot be denied that the history of the Huguenots, even more than the life of Hotman himself, gave point to the caustic observation.

Great propositions, whether political, social, or religious, are rarely formulated in advance of the necessity, supposed or real, that demands their announcement to the world. They are for the most part the challenge of an accepted error, a gauntlet thrown down for any of the champions of the error to pick up.

The first advocates of the reformatory movement in France had no reason to call in question the absolute right of kings to command their subjects, and the absolute duty of obedience on the part of subjects, save on one point—the religious convictions, the conscience. They were, indeed, from the very start, accused of a tendency to innovation, not less in state than in church; and although they indignantly denied the charge, their enemies made all the capital possible out of it. It will be remembered that a papal nuncio is said on one occasion to have made this a powerful and effective argument to stop forever the half-

<sup>1</sup> *Dictionnaire Historique et Critique*, article *Hotman*.

formed, or, at least, half-expressed intention of Francis I. to imitate the example of a change of religion lately given him by Henry VIII. beyond the British Channel. "Sire," he retorted, to the monarch's petulant threat, "to speak with all frankness, you would be the first to repent your rash step. Your loss would be greater than the pope's; for a new religion established in the midst of a people involves nothing short of a change of prince." The king, we are given to understand, believed the prelate's assertion, and, to the end of his life, looked with suspicion upon the reformers as covert revolutionists.<sup>1</sup>

For many a year, the slightest pretext, or no pretext at all, sufficed their opponents to start from time to time the story that the monarch's Protestant subjects were plotting to divide a part or the whole of France into cantons fashioned upon the model offered by their Swiss neighbors.

Meanwhile the leading writers in the interest of the reformation were careful, both to inculcate upon their followers the duty of submission to constituted authority and to exempt from that submission the domain of conscience. Every form of government, in their view, must be respected, as deriving its very existence from the providential ordering of God; but no government must be obeyed when it enjoins that which is contrary to God's commands. This can best be seen by noticing the manner in which John Calvin deals with the interpretation of one or two passages in the New Testament, which tyranny has, in all ages, adopted as its proof-texts, and by means of which it has sought to give to absolutism the appearance of a Biblical sanction. In the first of these (Rom. xiii. 1) Calvin finds the principle that "albeit tyrannies and unjust dominations, inasmuch as they are full of deformity, are not of the ordinary government; yet, nevertheless, the right of government is ordained of God for the health of mankind," and that therefore the apostle commands that the authority and government of magistrates be willingly and cheerfully received and revered as profitable to mankind. In the other passage (1 Peter ii. 13) the reformer regards the meaning of the writer to be that obedience is due to all who rule, because they have been raised to that honor not by chance, but by God's providence. Many, he remarks, are wont to inquire too scrupulously into the question, by what right power has been attained; but this alone ought to content us, that power is possessed and exercised. In strict accord with this, Calvin views the injustice of rulers (the Romans in Asia Minor, for example) both in acquiring

<sup>1</sup> Brantôme, *Œuvres*, IX. 202. See *The Rise of the Huguenots*, I. 103.



and in administering government, as an *abuse* which does not alter the great and divine end for which government was instituted. Princes may, so far as they can, pervert the holy ordinance, and magistrates, instead of bearing the image of God, become wild beasts; yet government itself, being established by God, ought to be so highly valued, that we shall honor even tyrants when in power. Besides which, he declares that there has never been a tyranny, nor can one be imagined, however cruel and unbridled, in which some portion of equity has not appeared; and that some kind of government, however deformed and corrupt it may be, is always better and more beneficial than anarchy.

Evidently, in all this, there is nothing calculated to give aid and comfort to monarchical despotism. The commentator, in fact, finds no reason for the express mention of the "king" by St. Peter, in the last passages referred to, but that the regal form of government was more disliked than any other, and that under it all other forms were included. In other words, it was authority as authority, and not *royal* authority in particular, that Calvin, interpreting the Bible according to the intention of the writers, as he thought, would have honored and submitted to. The warrant of the king to rule in his kingdom was precisely the same as that of the magistrate, of whatever degree, to exercise his functions in his lower sphere of action; both were in the same sense ordained of God. Calvin's contempt for the arrogant and exclusive claim of kings to this prerogative, appears most conspicuously in the indignant passages from his commentary on Daniel, which John Milton has pointed out in his treatise on "The tenure of kings and magistrates," and which he thus translates:<sup>1</sup> "Nowadays, monarchs pretend always in their titles, to be kings by the grace of God; but how many of them to this end only pretend it, that they may reign without control; for to what purpose is the grace of God mentioned in the title of kings, but that they may acknowledge no superior? In the meanwhile, God, whose name they use to support themselves, they willingly would tread under their feet. It is, therefore, a mere cheat, when they boast to reign by the grace of God."<sup>2</sup> "Earthly princes depose themselves, while they rise against God; yea, they are unworthy to be numbered among men: rather it behoves us to spit upon their heads, than to obey them."

<sup>1</sup> Milton's *Prose Works*, 243.

<sup>2</sup> In the original: "Merus igitur fucus est, quod jactant se Dei gratia pollere dominatione." Praelect. in Daniele, in Baum, Cunitz et Reuss, *Ioan. Calvini Opera* (Bruns., 1889), XL. 670.

After all, however, the reformer preferred to take into his view no "intolerable oppression" that might justify the throwing off of the tyrant's yoke, and limited himself to the purely religious aspect of the case. It was when they rose against God that earthly princes *ipso facto* deposed themselves. It was in their commands that antagonized the higher commands of Heaven, that they might justly, indeed that they must, be resisted. The principles which he inculcated might lead to ulterior consequences for which he made no present provision: it was enough for him to enunciate them. More perilous in the aspect of things which confronted him than even the danger of political tyranny, was the danger of insubordination, the menace not to society alone, but to religion as well, from the proneness of men toward a contempt of all civil authority that had manifested itself in places, and tended, by its assumption of a religious garb, to bring religion itself into disrepute.

Yet while he was so conservative as to refuse to private persons the right to do anything else than obey and suffer, it must be noticed that Calvin concedes the right of resistance to royal authority to such magistrates as might be constituted to curb the too great cupidity and license of kings. And it is particularly noticeable that among these he mentions not only the ephors of old time at Sparta and the tribunes of the people at Rome, but the states-general so hated by absolute monarchs.<sup>1</sup>

It was in accord with Calvin's teachings, and with the instructions of the teachers that had been moulded under his influence at Geneva, that, in the midst of aggravated persecution such as was endured during the reigns of Francis I. and his son Henry II., its victims refused, it is true, to obey the monarch where the royal commands conflicted with the "higher law," but nevertheless abstained from making any uprising, any armed resistance, any violent attempt to assert their natural rights. Accordingly, in the last days of the reign of Henry II., the first religious synod of the French Protestant churches placed at the end of their confession of faith, as its thirty-ninth and fortieth articles, a frank expression of loyalty. In the one article they profess their belief in the divine authority of government, established by God in the form of kingdoms, republics, and all other sorts of principalities, "be they hereditary or otherwise." In the other they declare: "We therefore hold that we must obey their laws and statutes, pay

<sup>1</sup> "Et comme sont, possible, aujourd'hui en chacun royaume les trois estats quand ils sont assemblez." *Institution chrestienne*, liv. 4, ch. 20. In Baum, Cunitz et Reuss, IV. 1160.

tribute, imposts, and other dues, and bear the yoke of subjection of a good and free will, even be they unfaithful (*infidèles*); provided that the sovereign authority of God remain in its integrity. Therefore we detest all those that would reject the higher powers, introduce a community and confusion of goods, and overthrow the order of justice."<sup>1</sup>

When, not many days after these words were penned, Henry II. lost his life in the tilt to which he had challenged the reluctant captain of his Scotch archers, the course of history was changed to a degree that no one could have anticipated. A youth, a minor in fact if not in name, succeeded to the vacant throne. Now the rule of a minor is always the rule of those subjects that are so fortunate as to secure the control of the king's person or his mind. Francis II. was, unhappily, just old enough to seem to be entitled to exercise the functions of royalty and render the appointment of a regency unnecessary, while yet he deputed the full powers of government to others, especially to his wife's uncles, the Cardinal of Lorraine and the Duke of Guise. The sequel is familiar to all readers of history. Within a few months the new favorites had been violent enough and clumsy enough to arouse a spirit of opposition to their administration of the affairs of France, that must, in the very nature of things, soon find expression. Persecution was continued; indeed, was aggravated. Now, persecution at the hands of a king in the full possession of his mental powers is one thing; persecution under an immature and weak-minded boy-king, at the hands of nobles, is quite another thing. To see a member of the high court of parliament executed, would, in any case, have moved the people; but to see the most virtuous judge upon the bench strangled and then burned, dying with words of love upon his lips and assurances that he died not as a thief or a robber, but for the Gospel, — this was beyond the power of men of principle to endure with equanimity. To religious motives, political causes were added. The result was an explosion which is generally known as the Tumult of Amboise, — an unfortunate attempt at an uprising which the Guises quelled with a needless display of cruelty, attended by such bloodshed that it has rendered infamous both the prelate and the duke.

The Guises found it to their interest to consider the uprising, and to represent it to the king, as directed against him and against his royal authority. A letter was accordingly despatched in the name of Francis II. to the chief judicial officers throughout

<sup>1</sup> *Recueil des choses mémorables faites et passées pour le fait de Religion et estat de ce Royaume, Premier volume.* s.l. 1565. Page 69.

the kingdom, in which the enterprise was denounced as a detestable conspiracy. The Huguenots, now for the first time beginning to be known by this name, replied to this production, taking up its statements one by one, and defending the course which the malcontents had taken.

"There is no religion instituted by God, and there is no law received by men, that excuses the subject in taking arms without the consent of his sovereign," said the royal letters.

"This is true," replied the Huguenot commentator, "when the subject takes arms against his prince, against the law, against his own country. But the religion of God and all laws received among men, not only excuse, but command the subject to arm himself for the defence of his natural prince when he is oppressed, for the preservation of the law, and for the protection of the country."

"It is to the sovereign prince alone that is reserved of God the authority and power of the sword," again said the writer of the royal letters; to which the Huguenot unhesitatingly replied: "We confess that this is so, provided that the aforesaid prince knows by himself, or by means of a good and legitimate council, how to administer and dispense that authority to the honor of God, to his own advantage, and to the advantage of his subjects. But if this authority has been taken from his hands, and another person has unjustly appropriated it, the subject is unfaithful to his king if he suffers it and acquiesces in it, and he is injurious to his native land, if he can remedy the matter and does not do so."<sup>1</sup>

Here was as yet no assertion of the right to resist a legitimate king acting as a tyrant, but only the assertion of the right, or rather the duty, of the subject to resist those who have, in some way or other, usurped the king's functions. Even on this point, however, the religious teachers who had been consulted in advance of the Tumult of Amboise were not unanimous; although it was perhaps not so much respecting the lawfulness as respecting the expediency of the movement that there was some diversity of opinion. Calvin and Beza were filled with apprehension as they thought of the consequences of civil war and bloodshed that might ensue, and earnestly dissuaded from a resort to force. There were, however, counsellors, jurists and others, that pronounced it lawful to take up arms to repel the violence of the Guises, under

<sup>1</sup> *Reponse chrestienne et defensive sus aucuns poincts calomnieux contenus en certaines Lettres envoyées aux Baillifs, Seneschaux et Lieutenans du Roy. 1560. In Recueil des choses mémorables, 103, 105.*

the authority of a prince of the blood, such as the promoters of the scheme darkly hinted that they could count upon in the Prince of Condé, and at the solicitation of the Estates of France, or the soundest part of them.<sup>1</sup>

There can be little doubt that among the jurists thus consulted was François Hotman; there is none that he gave to the movement his unqualified sympathy and his most effective support.

Hotman was at this time in the thirty-sixth year of his age, — he was born in 1524, — and had already won great distinction for himself. His family, which was one of some prominence, came originally from Breslau, in Silesia. His father, Pierre Othman, or Hotman, had risen to the office of "Master of the Waters and Forests," and from that had become one of the counsellors or judges of the Parliament of Paris. François, the eldest of eleven children, was intended by his father for the bar, and, according to the system then prevailing in the judicial system, enjoyed the clear prospect of succeeding in good time to a seat in the highest tribunal of France. The father was a devoted adherent of the church of the state, and brought up his children in the same church. There was no obstacle on that score. Nor was it for any lack of ability or application on the part of François, that his father's hopes were not realized. When barely fifteen years of age, the boy was sent to study law in the University of Orleans, famous at that time for the learning of its professors. So well did he spend his time that only three years elapsed before he returned to the capital, having earned the degree of doctor. This was exceptional, but it was as nothing to what followed. Admitted to the bar, he had the promise of a brilliant career, but soon turned in disgust from a pursuit that appeared to him full of chicanery, and devoted himself to the theory of the law, which pleased him better than its practice. He was only twenty-two years old when, in 1546, he began to lecture publicly on jurisprudence with such erudition and such brilliancy that the great Étienne Pasquier in after years counted it one of the greatest pieces of good fortune that ever befell him that he was permitted at this time to be among Hotman's admiring hearers. It was in the midst of the unbroken course of his strange popularity that Hotman suddenly left Paris, renounced all his brilliant future, and forsook a life of ease and comfort for an existence of which exile was the ordinary, and actual privation the not infrequent characteristic. The young lecturer had secretly imbibed the views of the persecuted reformers; he was now resolved to make a public profession of those views. The bold act

<sup>1</sup> See *Rise of the Huguenots*, I. 378, 379.

cut him off from his family. His father virtually disinherited him, and while, at a later time, one brother was in the service of the Cardinal of Lorraine, and, still later, another was involved in the fatal "League," the family had only reproaches for the most brilliant of its members who had gone over to the camp of the enemies of the established church.<sup>1</sup>

Compelled to take refuge on foreign soil, the young jurist was sought successively by the universities of Lausanne and Strasbourg. The elector palatine welcomed him at Heidelberg, appointing him one of his councillors, and sent him on a dangerous mission, about the time of the Tumult of Amboise, to confer with the Prince of Condé, the secret leader of the enterprise against the Guises. It was soon after the disastrous failure of the plan that the refugee published, probably at Geneva, an anonymous pamphlet which gives perhaps a better idea than any of the acknowledged productions emanating from his pen of Hotman's unsurpassed ability as a writer of pure and vigorous French. The pamphlet was entitled "A Letter to the Tiger of France," — *Epistre envoyée au Tigre de la France*. The "Tiger" is the Cardinal of Lorraine, whom, not without reason, the writer regards as the author of all the misfortunes of his country, and whose misdeeds he attacks with a directness and a vehemence, almost amounting to ferocity, that have been rarely equalled. The orations of Cicero against Catiline afforded Hotman a model, and he had undoubtedly an advantage in this, that the great Roman orator's invective had as yet had few imitators and could not, as at present, be said to have lost its power through frequency of repetition. Even in those days, however, it required the hand of a master to sustain throughout the high pitch with which he had begun, and to make the climax of the peroration even more terrible than the opening sentences.

The *Epistre envoyée au Tigre de la France* need not detain us long, despite its intrinsic importance and the interest attaching to the almost miraculous recovery of a single copy in recent years, after the supposed destruction of the entire impression.<sup>2</sup> It was not an attack upon the king or upon his authority, but upon the prelate who, presuming upon his relationship with the queen, had made himself master of the state. Like the prime participants in the movement whose disastrous failure was the

<sup>1</sup> See Bayle, Nicéron and Haag for a more detailed biography.

<sup>2</sup> Not to speak of the happy accident that this copy was saved from the flames at the burning of the Hôtel de Ville and its library by the Commune in 1871, by the circumstance that the librarian had taken the rare pamphlet home, to examine it more carefully at his leisure. See the reprint, with photographic fac-simile and copious notes, brought out by M. Charles Read, Paris, 1875.



occasion of the composition of the piece, the author believed himself to be acting not against, but in the interests of royalty, not with the view of restricting the prerogatives of the king, but for the purpose of restoring to the king freedom of action by the removal of the bad counsellors who had usurped his name and imposed their will upon him.

It was quite otherwise twelve or thirteen years later. The short reign of Francis II. opportunely ended within a few months after the Tumult of Amboise. Subsequently, three civil wars waged in the reign of Charles IX. to crush the Huguenot party failed of their purpose. In the Massacre of Saint Bartholomew's Day (August 24, 1572) an attempt was made to effect by treachery and assassination what the sword had proved powerless to accomplish. The plan had not originally been the king's; but, having once been overpersuaded to give his consent, Charles IX. suddenly resolved that not one Huguenot should escape with his life to proclaim the royal infamy. Not only so, but the "very Christian king" was seen at a window of the Louvre, encouraging the murderers by his presence, and, according to some accounts, even firing at the Huguenots, his subjects, accompanying the act with the exclamation, "*Mort Dieu*, let us shoot, they are fleeing!" The king was not a minor; he had passed his majority. It was not a minister, or a body of ministers, that had perpetrated in his name a crime of which he was ignorant or which he had vainly attempted to prevent. To leave no doubt on that head, Charles had formally assumed responsibility, giving the lie to the first announcements published to the world. His advisers were too shrewd to allow the crime against humanity to be put to their sole account.

Resistance must now be direct resistance to the king's authority. How should that resistance be justified in view of past utterances which seemed to call for passive obedience to the legitimate sovereign save in the matter of a command to do something forbidden by God? Men now began, for the first time, distinctly to apply uncomplimentary terms to the hereditary king of France, who had revelled in the butchery of his native-born subjects. But who should decide the question, when a lawful king ceased to be such? What tribunal was competent to pass upon a question involving the rights of a monarch universally believed to govern France by virtue of a special divine grace, untrammelled by the desires of those that had been created to be his servants?

The crisis called for a writer well versed in the history of his

country, and able to discriminate between ancient custom and recent abuse. François Hotman answered the summons with alacrity. He had spent most of the interval since the death of Francis II. in France; first, with the King of Navarre, Antoine de Bourbon, and his brother, the Prince of Condé, afterwards teaching in the schools of Valence and Bourges. From this latter place he fled, on first hearing of the wound of Admiral Coligny, and, after lurking a few days in the neighborhood, managed to gain the hospitable refuge of the city of Geneva. His own narrow escape and the sight of the miserable fugitives who continued for weeks to pour into the gates of the place, witnesses and survivors of horrors almost incredible by reason of their magnitude, determined him to publish a book, calling in question the very foundation of the authority of the crowned despot who was the cause of all this misery. The result of careful study of all the old historians of French affairs, as well Germans as natives of France proper, this work was destined to gain celebrity from the evidence it gave of the learning and ability of the author, and from the startling character of its contents.<sup>1</sup> The *Franco-Gallia* of François Hotman was a truly revolutionary book. It aimed to prove that, far from being hereditary, like private possessions, royalty in France was of right, and always had been until comparatively recent times, elective; and that the king's subjects, instead of being bound to a blind and servile obedience, possessed through their assemblies, gathered in accordance with immemorial custom, the authority to remove for cause the prince whom they had elevated to the throne. Need it be said that men stood aghast at the presumption of the writer that undertook to sustain such a thesis? Need we wonder that even such a scholar as Nicéron, writing the biography of Hotman for his gallery of French worthies that have made themselves illustrious in the republic of letters,<sup>2</sup> but writing in the age of Louis XV., expressed

<sup>1</sup> I was mistaken in supposing (in the first edition of my *Rise of the Huguenots of France*, II. 615) that the book originally appeared anonymously. The title-page of the earliest edition, which I have since received, reads: "*Franc. Hotomani iuriconsulti Francogallia. Ex officina Jacobi Starii. 1573.*" Although the place of impression is not stated, it was undoubtedly Geneva. My copy was formerly in the library of the University of Heidelberg, and was stamped and sold as a duplicate. In view of the circumstance that the work was dedicated, as it will be seen in the text, to the elector palatine, whose famous castle overlooked the university, it is not improbable that this volume was one out of a number of copies of the *Franco-Gallia* which the author presented to his princely patron, or, more probably, which the latter purchased in order to encourage and assist the brilliant but necessitous author.

<sup>2</sup> *Mémoires pour servir à l'histoire des hommes illustres dans la République des Lettres, avec un catalogue raisonné de leurs ouvrages*, XI. 109-134.

the opinion that the *Franco-Gallia*, although commendable for its erudition, is unworthy of a French juriconsult, and serves only to dishonor Hotman, even in the estimation of the Protestants themselves.

Bayle says that Hotman wrote the *Franco-Gallia* in anger. If so, the anger was all directed against the perfidious king that had been butchering his subjects; there was not a trace of anger against the land from which he had been compelled to flee. The dedicatory epistle addressed by the exile to Count Frederick, the elector palatine, breathed only the purest patriotism. Hotman repudiated the maxim that one's country is wherever one can live in comfort. Nay, he said, the land of one's birth is no step-mother whose harshness may justly be treated with contempt, but a true parent whose faults ought to be borne with filial leniency. Ancients and moderns unite in placing her claims to regard and affection above those of father or mother. An Epicurean or a Cynic may adopt for his own the sentiment of Caligula, "Let the earth burn up when I am dead!" or the yet more repulsive saying of the old tyrant, "May my friends perish, if only my enemies be involved in their destruction!" But in kindlier natures there is a certain inborn love of country extinguishable only with the extinction of all man's senses. True, the fatherland may at times be afflicted with madness. It may even give itself over to insane fury, it may in a frenzy of cruelty rend in pieces its own offspring. But let not the faults of another be laid at the door of an innocent country. Tyrants there have been in other places besides Rome, who slew good men and citizens that had deserved well of the state. There was a time when to the schools of France there flocked studious youth from all quarters of the world, as to the mart where letters could be purchased. Now these same youth shudder at the very thought of those schools, as of seas infested by pirates, and utter imprecations upon a barbarity worthy only of monsters.

What, then, is the remedy for the present disastrous state of things? It is a return, says Hotman, to the form of government which the wisdom of the fathers devised, and which prevailed for more than a thousand years. Like the human body, some states fall victims to violence from without, others to domestic sedition, still others to the inroads of time. The ills of France have a different origin. Intestine discord is not, as commonly reported, the cause but the occasion. The cause is to be found in a wound inflicted, about a hundred years back, by one — the reference is to Louis XI. — who first of all perverted the institutions handed down from the ancestors of the Frenchmen of the day. It is idle

to speak of healing the body politic before the dislocated members have been brought back each to its own place.

In accordance with the view thus propounded, the *Franco-Gallia* is an historical survey of France from the earliest times, made with the object of exhibiting the fact that the relation sustained by the people to the king is that of the appointing power to the appointee. Even before the subjection of Gaul by the Romans the author finds the one characteristic common to all the states, whether governed by the whole body of nobles or ruled by a single chief, to be that, at a set time of every year, a council was held in which were determined all matters affecting the general interests. The extent of the power of the people might be gauged by the remark of a native Gaul that the multitude exercised not less authority over the king than the king over the multitude.

But the history of France properly begins with the time when, oppressed beyond endurance by the harshness and rapacity of the Romans, the Gauls not merely favored, but actively promoted, the introduction of great multitudes of Germans from beyond the Rhine. Why the name "Franks" came to be applied to all those that settled within the bounds of what is now known as France, is a question which it interests Hotman to answer. Either the Franks were a tribe hitherto small and insignificant, whose members, because they were the originators of a momentous change, extended their name to a great nation, just as the inhabitants of Schwyz, a contracted district in the Alps, because they were the first movers in the recovery of liberty, caused the name of Helvetia to disappear before that of Schweiz, or Switzerland; or else, as the author prefers to believe, it was the very idea of freedom contained in the word "Frank" that caused the name to be applied to a considerable part of the German race when once exempt from slavery. Thus *Francisia* became the synonym of "asylum" and *francisare* represented the act of emancipation. Those therefore were properly called Franks who, having thrown off the yoke of tyranny, thought that they might retain an honorable liberty under the royal authority. "For it is not servitude," says Hotman, "to obey a king, nor are they to be esteemed slaves that obey him; but those rather who submit to the caprice of a tyrant, a robber, or a murderer, as sheep submit to the butcher, are truly to be called by that most vile name of slaves. Thus it was that the Franks always had kings, even when they professed themselves maintainers and defenders of freedom; and when they set up kings, they set not up tyrants and murderers, but guardians, overseers, protectors of their own liberties."<sup>1</sup>

<sup>1</sup> *Franco-Gallia*, 37.

Such a monarchy was, according to Hotman, as far removed as possible from a tyranny. The king possessed not one of those marks that distinguish the tyrant. He ruled over willing subjects and not by compulsion. So far from relying on a bodyguard of foreign mercenaries, he had no guard even of natives, and needed none, because he relied on the good-will of his subjects. He governed not with a view to his own advantage, but to the advantage of his subjects. And his authority was kept in salutary check by the yearly meeting of a deliberative body — a *concilium* — whose composition rendered it well adapted to the purpose. It was large; there is safety in numbers. It represented all; it is a part of liberty that those should be consulted at whose peril government is administered. It was a body in which the states of the kingdom were freely heard. In short, it was in all respects different from the council with which kings are wont to provide themselves in these degenerate days. For the council is now not the council of the kingdom, but of the king. It consults his interests alone, it is ever at court, and cannot even know the state of things in distant parts of the realm. Its members, ensnared by the temptations of court life, easily give the rein to the lust of power, to ambition, and to the desire to accumulate riches. In the end, they become not advisers of the monarch and his state, but flatterers of the prince and ministers to his desires. Far different from these are those Aragonese who, when convened for the purpose of choosing and crowning a king, address him in these striking words: "Nos que valemus tanto come vos y podemos mas que vos," etc. — "We who are as good as you, and are more powerful than you, elect you king on such and such conditions. Between you and us there is One with greater authority than you."<sup>1</sup>

The custom of holding popular assemblies for the purpose of putting a check upon royal authority does not belong to France alone, says Hotman, but is and has always been the common institute of all peoples and nations that use a royal and not a tyran-

<sup>1</sup> *Franco-Gallia*, 85. — When Mr. Prescott, in his *Ferdinand and Isabella*, I. lxxxvi (Introduction), observes that, "The well-known oath of the Aragonese to their sovereign on his accession, 'Nos que valemus tanto come vos,' etc., frequently quoted by historians, rests on the authority of Antonio Perez, the unfortunate minister of Philip II., who, however good a voucher for the usages of his own time, has made a blunder in the very sentence preceding this, by confounding the Privilege of Union with one of the Laws of Soprarbe, which shows him to be insufficient, especially as he is the only authority for this ancient ceremony. See Antonio Perez, *Relaciones* (Paris, 1598), fol. 92," — the eminent American historian overlooks this passage in the *Franco-Gallia* of Hotman, issued just twenty-five years earlier than the publication of Perez.

nical rule. Clearly, then, the venerable right of these assemblies is a part of the *jus gentium*; and not less clearly, those kings that crush that holy privilege by their bad arts, being violators of the *jus gentium*, and having put themselves without the pale of human society, are henceforth to be esteemed not kings but tyrants.<sup>1</sup>

Wherein did the royal majesty reside, is a question which Hotman sets himself with earnestness to discuss; nor does he disdain to recall the pompous ceremonial that attended in the good old times the convocation of the assembly of the people. Carried in a wagon drawn by oxen to the place of its sessions, the king dismounting was conducted by his princes to a throne of state, whereupon these in turn sat down each in his own place according to rank. It was in the king thus seated in the assembly of his nobles that the royal majesty resided. With good reason, therefore, did the great seal of the kingdom in the chancellor's possession represent the king not in a military fashion on horseback, nor riding in triumph in a four-horse chariot, but in long royal robes and crowned, seated upon a throne, with the royal sceptre in his right hand and the sceptre of justice in his left, and presiding over a solemn council. For assuredly the royal majesty is to be found where the great interests of the commonwealth are under consideration.<sup>2</sup>

One of the distinct prerogatives of the popular assembly being to elect and remove kings for cause, the author not inappropriately investigates the claim of the supporters of the papal see that Pepin was elevated to the throne of France by the authority of the pope. An historical inquiry shows that the very writers upon whose testimony the claim is based reveal the fact that all that Zachary really did was to express his approval when the removal of the incompetent Childeric and the elevation of Pepin had already been effected by the French themselves.<sup>3</sup>

In the course of his argument to prove by historical examples the continued authority of the popular assembly or the states of the realm under the successors of Charlemagne and, indeed, under the monarchs of the Capetian race, Hotman pauses to refute the notion already so much in vogue to which Louis XIV. in the next century is said to have given expression in the phrase, "L'état c'est

<sup>1</sup> *Franco-Gallia*, 86.

<sup>2</sup> That is, not in the king as a man, according to the idea of the unthinking masses, who, whether he be playing, or dancing, or chattering with a group of silly women, still ever speak of his royal majesty. *Franco-Gallia*, 87, 88.

<sup>3</sup> *Franco-Gallia*, 112, 113.



moi." "Is it not plain," he exclaims, "how great a difference our ancestors made between the king and the kingdom? And indeed the matter stands thus: The king is the sole and singular prince, whereas the kingdom is the very universality of citizens and subjects. . . . The king stands in the same relation to the kingdom as the father occupies in respect to his family, the tutor to the pupil, the pilot to the sailor, the general to the army. As the pupil is not the property of the tutor, the ship of the pilot, the army of the general, but, on the contrary, these are established for the sake of the others; so the people is not the king's, but the king is sought and obtained for the sake of the people. For the people can exist without the king, supposing that it obey the counsel of its better men or its own counsel; but without a people a king cannot even be conceived of. Then again look at other points of difference. The king is mortal, just as any private man that you may please to take; the kingdom is abiding and immortal, as jurists are wont to say of colleges and universities. The king may be affected by aberration of mind and insanity, as was Charles VI. who gave his kingdom to the English—nor are there any men that are more easily unsettled in mind by the blandishments of pleasure: but the kingdom has in its *elders*, men skilled in the conduct of affairs, its appropriate and certain wisdom, as it were, lodged in the head of the state. A king may in a single battle, nay, in a single day, be defeated, taken prisoner, and led away to the enemy's dominions. No one is ignorant of the fact that this is what befell St. Louis, John, and Francis I. Yet the kingdom remains safe when the king is lost. As soon as such a calamity occurs, a council is appointed, the leading men convene and devise a remedy for present misfortune. This was done in the cases referred to. The king by reason of the infirmity of his age, or the levity of his intellect, may be influenced and depraved by this or that avaricious, rapacious, or lustful counsellor, or by a few lascivious youths of his own time of life. He may even be so infatuated by a woman as to commit to her almost the entire administration of the realm. There are few, I imagine, who do not know how many examples of this evil have occurred. But the kingdom can always rely upon the advice and the wisdom of its older men. . . . Our ancestors left to the king his own privy counsellors to care for his personal affairs; they reserved for the public assembly the choice of the older men that were to consult together and point out to the king the mode of administering the kingdom."<sup>1</sup>

To prove that the assembly of the representatives of the people

<sup>1</sup> *Franco-Gallia*, 128-130.

had not become an obsolete institution under the kings of Capetian race, Hotman gives seven examples out of many more that could have been instanced, and concludes with a chapter on "the memorable authority of the council (the states) over Louis XI." Of this monarch's perjury he observes that it was expiated as well by his own infamy as by the ruin of the people. "However this may be," he adds by way of conclusion, "it is evident that less than one hundred years have elapsed since the liberty of France and the authority of the solemn assembly were in vigor, and in vigor against a king weak neither in age nor in mind, but already forty years old and possessed of such greatness of intellect as plainly never was found in any other king of ours. Thus may it be understood that our commonwealth, founded and established in liberty, retained for more than eleven hundred years that free and venerable constitution (*statum*) which it possessed, even by force of arms against the power of tyrants."<sup>1</sup>

To the discussion of matters evidently germane to the subject of his treatise, Hotman appended two inquiries the connection of which with his main purpose was less close, although a nearer examination will show his reasons. The chapter devoted to the question, whether women, while excluded from the throne, might not act as regents of the kingdom, found its justification in the circumstance that the malignant influence of the queen mother, Catharine de' Medici, could be traced in all the crimes and blunders that had lately culminated in the frightful Parisian Matins. The final chapter of the work, wherein the judicial parliaments of France were shown to have secured for themselves an exorbitant influence in the state by a series of usurpations, beginning with an unjustifiable appropriation of the name *parlamentum* belonging to the old representative assemblies of the people, was doubtless the fruit of that just indignation which filled every patriot's heart when he learned that the Parliament of Paris, the highest court in the realm, had stooped so low in obsequious submission to Charles IX., as not only to witness without remonstrance the massacre of the innocent victims of St. Bartholomew's Day, but actually, through its president, Christopher de Thou, to praise the monarch for the dissimulation by which he had succeeded in crushing the pretended conspiracy of the Huguenots.

Such is a brief synopsis of the *Franco-Gallia*—a book with its faults, indeed, but notwithstanding Niceron's assertion, by no means a book for the most learned of the juriconsults of his age to be ashamed of. So far as erudition was concerned, it was a

<sup>1</sup> *Franco-Gallia*, 145.

marvel that, in the brief space of a twelvemonth, its author had been able to master and co-ordinate the vast mass of history and chronicle which he laid under contribution, even though we grant that it was a trained mind and a memory well stored with fact that he brought to his undertaking. Augustin Thierry and others that have followed him, have not, it is true, been slow in calling attention to the circumstance that Hotman, in his eagerness to establish his main thesis, "made no account of differences of times, manners, origin, and functions, confounding under a single name, as though they were things the same in nature, the states-general of the Valois, the parliaments of the barons under the first kings of the third race, the politico-ecclesiastical assemblies of the second race, the military reviews and the courts of the first race, and, back of all, the convocations of the German tribes such as Tacitus describes them."<sup>1</sup> They have pointed out that the author thus rendered his proof inconclusive and reached false conclusions. But they have not failed to do ample justice to the singular learning and originality of his work.<sup>2</sup>

The impression produced by the *Franco-Gallia* was evidenced by the attempted replies, less learned and cogent than abusive of the author. These need not occupy us. It is more to my purpose to trace the development of Hotman's political ideas.

Two other books having an immediate bearing upon the history of the events of St. Bartholomew's Day emanated from Hotman's pen, the one in the very year of the publication of the *Franco-Gallia*, the other two years later. The former was a clear and simple narrative of the Massacre, under the title *De furoribus gallicis*. The author hid his identity beneath the pseudonym *Ernestus Varamundus*. The latter was a memoir of Gaspar de Coligny written by Hotman at the request of the admiral's widow, and was the most authentic connected account of the life, especially the inner life, of the great Protestant hero.<sup>3</sup> In neither of these books, interesting though they be, are we to look

<sup>1</sup> Augustin Thierry, *Considérations sur l'histoire de France*, prefixed to his *Récits des temps Mérovingiens* (2ième édit., Paris, 1842), I. 52, 53.

<sup>2</sup> *Ibid.*, I. 57. Thierry adds (58): "Du reste, son érudition était saine en grande partie, et la plus forte qu'il fut possible d'avoir alors sur le fonds de l'histoire de France."

<sup>3</sup> *Gasparis Colini Castellanii, magni quondam Francie Amiralii, vita, 1575*.— We have the curious letter, dated January 15, 1575, in which the widow, a prisoner of the Duke of Savoy, begs the great scholar to do justice to the memory of her murdered husband, adorning her appeal with a wealth of classical allusion which was in fashion at the time, but would now seem strangely out of place. See *Bulletin de la Société de l'histoire du Protestantisme français*, VI. 29. Geneva was so exposed to danger from without that the timid magistrates declined to permit the *Life of Coligny* to be printed within their jurisdiction.

for the sequel of the *Franco-Gallia*, but, rather, as Sayous has shown in his admirable sketch of Hotman,<sup>1</sup> in an anonymous production which came out a year later, and which, although surely not composed by Hotman, may just as surely be regarded as inspired by him. I refer to the treatise, consisting of two dialogues, that bore, in its French form, the title, *Reveille-Matin des François et de leurs Voisins*, and in its Latin form the title, *Dialogi ab Eusebio Philadelpho cosmopolita in Gallorum et ceterarum nationum gratiam compositi*.<sup>2</sup>

Here what was merely hinted in the *Franco-Gallia* is expressed in clear terms. The statements of Hotman are reproduced, sometimes in almost the identical words, and his work is referred to with unstinted praise;<sup>3</sup> but now a practical application is given to what was previously mere theory. Near the close of the first dialogue, or part, we have the sketch of a new form of government drawn out in forty articles, according to which the Protestant municipalities may manage their affairs under an elected leader or chief until such time "as God who holds in his hand the hearts of kings may either change the tyrant's mind and restore the French kingdom to its former dignity and liberty, or excite some neighboring prince who may by his own valor and by marks divinely impressed upon him be recognized as liberator of a ruined people."<sup>4</sup> The writer insists upon the mutual obligations of magistrates (including kings) and subjects. Whatever the form of government, it is affirmed that the magistrate was chosen by the people for their own advantage. Obviously they never would have chosen him and empowered him to treat the people just as he pleased. They bound him by an oath that he might be a terror to evil-doers and a defence to the good. When, therefore, rulers stray from the end for which they were created, the obligation of the people is dissolved — "as when kings become tyrants and from good princes they become *Charles the Ninth*."<sup>5</sup> It is the function of the same person that bound also to loose the bond. The three estates are derelict to their trust if they permit royalty to turn into tyranny. They are the supreme magistrates, above the king himself. But what if the popular rights have

<sup>1</sup> *Études littéraires sur les Écrivains français de la Réformation*, II. 40 seqq.

<sup>2</sup> The imprint, "Edinburgi, ex Typographia Iacobi Iamaei, 1574," does not prove that the book was published in Scotland. It was probably issued at Bâle or Strasbourg.

<sup>3</sup> E.g. in the second dialogue, 134: "Cujus formam elegantissime confecit et descripsit in sua Francogallia Hottomanus."

<sup>4</sup> *Dial.* I. 99.

<sup>5</sup> *Dial.* II. 63: "Ut cum reges sunt tyranni, et ex bonis principibus fiunt Caroli noni."

fallen into desuetude through stupid negligence? The same answer must be given that is so often in kings' mouths. If there is no prescription against the king, much more is there no prescription against the state and the rights of that people from whom the election and the power of the king depend. "No space of time is long enough to act as a bar to the rights of the people; so that princes who by evil craft and the violation of the laws of the realm crush the freedom of the states should no longer be esteemed kings, but tyrants and wicked enemies of the commonwealth."<sup>1</sup> Nay, so personal was the application of the principles enunciated that Charles IX. was declared to be the assassin of his fatherland, and, as such, deserving of the punishment meted out of old to parricides; namely, to be sewed up in a bag in company with a serpent, a cock, and an ape. For the first of these Catharine de' Medici might rightly stand, the Duke of Anjou, her son, for the second, and Retz for the third. The punishment of the four might atone for the sins of the entire realm.<sup>2</sup>

These were brave words, and the principles enunciated by Hotman and elaborated and applied under his inspiration were calculated to stimulate powerfully the assertion of the popular liberties. The movement ran parallel with and breathed the very spirit of Protestantism—a protest against absolutism in state as well as in religion, a vindication of the rights of the intellect of the individual as against the claim of blind submission to prelate and secular ruler. It was in accord with the popular form of government which, in fact, the Huguenots had instituted for themselves in their ecclesiastical system with its representative courts and synods. How came it then that, whatever the ulterior results may have been, the theories of Hotman and of those who took up those theories and seemed likely to carry them on to triumphant realization, almost immediately lost their hold upon men's minds, leaving France to drift more and more into unqualified despotism, leaving the Huguenots, in particular, to adopt views of the relation of the prince to his subjects that proved the most efficacious means of their own undoing?

Primarily, it was the change that rapidly came over the political situation of France. When the *Franco-Gallia* and the *Reveille-Matin* saw the light, the Huguenots were in the first glow of excitement occasioned by an experience of the treacherous cruelty of the king of France and his advisers. Men were not averse to discussing the question, how a monarch such as the man of whose perfidy they were the victims must be regarded. But

<sup>1</sup> *Dial.* II. 66, 67.

<sup>2</sup> *Ibid.*, 76.

soon Charles IX. was succeeded upon the throne by his brother, Henry III.; and, before many years, the childlessness of the new king led both Roman Catholics and Protestants to view the probability that, in the natural order of events, the crown of the kingdom of France might ere long pass to a Huguenot. As much as the prospect delighted the one party, so much it filled with dismay the hearts of the adherents of the other party. The greater number of the Roman Catholics viewed the possibility of a "heretic" sitting on the throne of the "most Christian" kings of France as a contingency too horrible for words to describe or for heart to conceive, and looking about them for an escape, found it in the substitution, by election or otherwise, of some person of unimpeachable orthodoxy, whether a Bourbon or a Guise. First of all, it was deemed highly desirable, if not absolutely necessary, to obtain an authoritative declaration that Henry of Navarre, as a relapsed heretic, had forfeited the crown. This declaration was secured by the "League" from Pope Sixtus V.

Now it was no abandonment of the positions which Hotman had taken in the *Franco-Gallia* for him to attack the bull of Sixtus and espouse the rights of Henry of Navarre. On the contrary, he had in that work devoted an entire chapter, and that by no means the least interesting, to a proof of the falsity of the story that Childeric was dethroned and Pepin elevated to the throne in his stead by the authority of Pope Zachary. Lestoile's counter-manifesto, made in the name of the king of Navarre and the Prince of Condé, in which he asserted that "Mr. Sixtus, styling himself pope (saving his holiness), had falsely and maliciously lied and was himself a heretic," was a more sprightly and amusing production; but Hotman's *Brutum Fulmen* was a piece of ordnance of quite a different calibre and of much superior effectiveness.<sup>1</sup> The bolt hurled by the pontiff at the brave king of Navarre was shown to be a very impotent missile after all, because founded on a judgment that was null and void by reason of the incompetency of the judge, the falsehood of the alleged causes, the flaws in the procedure, and the stupidity of the sentence.

But when, three years later, Hotman gave to the world a treatise entitled *De jure successionis regiae in regno Francorum*, in which were collected from approved authors sentiments favorable to the claim of the Huguenot prince to the throne as the legitimate successor in direct line, he certainly gave a handle to those that

<sup>1</sup> *Brutum Fulmen Papae Sixti adversus Henricum serenissimum Regem Navarra*, etc. [1585]. I have used the fourth edition, which was issued without date or place of publication.



accused him of a complete change of front.<sup>1</sup> True, he did not surrender his former contention that the people are justified in refusing obedience to the king that violates the laws and becomes a tyrant; but he seemed, for the time, to forget the rights of the people in his anxiety to establish the rights of the Huguenot monarch. And this, too, although to the end of his days he continued to regard the *Franco-Gallia* with peculiar affection as the greatest work that he had written. "There were not wanting counter-propositions from the League," remarks Sayous,<sup>2</sup> "to match the propositions of Hotman, and each party rivalled the other in learning and in zeal to refute itself." It was on this occasion that Bayle indulged in the mocking expressions respecting the instability of certain human opinions which I have placed at the head of the present article.

As time passed, the Protestants were led to become the supporters of extreme views of loyalty.<sup>3</sup> Of this their devotion to Henry of Navarre was not the sole cause. The circumstance that many of the great nobles of France belonged to their party, some connected by blood with the royal house, and many more having an interest in the maintenance of the royal prerogative, conduced to the same end. After the assassination of Henry IV. at the hand of a supposed tool of the Order of Jesus, the Protestants were driven by the force of events to assert in the strongest terms, as against the teachings of that order, the sacred character of the person of kings, with the correlated doctrine of the obligation of the subject to render to the prince implicit and unqualified obedience. Interesting though the discussion might be, we cannot here trace the disastrous effect of the views that now became popular, both upon the Huguenots themselves and upon monarchs, who should have protected them on account of their loyalty; but who, on the contrary, were only the more emboldened to oppress

<sup>1</sup> It is not surprising that a contemporary panegyrist like Gaucher, better known as Scævola, de Sainte-Marthe, while not dropping even a hint of the doctrines propounded by Hotman in the *Franco-Gallia*, should have extolled the learning and ability of this later treatise. Hotman died, remarks Sainte-Marthe, in his sixty-sixth year, "cum paucis ante annis libellum edidisset *plane aureum*, quo impendentem apud Gallos inter patrum [Cardinal Charles of Bourbon] et patris filium de regiae successionis jure controversiam, non minus vere quam erudite in gratiam Henrici legitimi successoris explicavit." *Scævole Sammarthani Elogia doctorum in Gallia Virorum qui nostra patrumque memoria floruerunt* (Nova ed., Ienæ, 1696). Lib. IV. 74.

<sup>2</sup> *Études littéraires*, II. 53.

<sup>3</sup> The author of a somewhat rare opuscle, published just after the accession of Henry IV., quotes with approval the sentiment of Tertullian that the monarch is second only to God. There is no third power that is free from subjection to him, or has authority over kings themselves. The writer is opposing the pretensions of Sixtus V.; but in his

them because they were assured that no degree of violence would cause such submissive subjects to revolt. Let it suffice to sum up the story in the words of the historian Le Vassor, a keen observer of events, and a candid and truthful critic:<sup>1</sup> "The Reformed of France are deserving of praise for having so courageously defended the sovereign and independent authority of their king against the enterprises of the pope and the clergy. But these good people seem to have forgotten their true interests and those of their country in themselves laboring for the establishment of that absolute and arbitrary power whose terrible effects they have since experienced. By a too great passion for distinguishing themselves from the Roman Catholics, imprudent or flattering ministers unceasingly preached the necessity of blind obedience to the sovereign's orders, however unjust these might be, when he exacted nothing against religion and conscience. Meanwhile, the court, skilful in taking advantage of the favorable disposition of men's minds, wrought effectually to enfeeble the Reformed party and to make sure of those who might have sustained it. Consequently it has not proved very difficult to overwhelm in the end poor people incapable of defending themselves, and imbued with that tyrannical maxim, which had long been represented as a religious principle, that the king is the master of the life and property of his subjects."

HENRY MARTYN BAIRD.

zeal to support royalty, he ignores the superiority of the states-general which was asserted by Hotman. He even goes to the length of justifying the king's predecessor in his treacherous murder of the Duke of Guise and his brother, the cardinal. *Jehova Vindex, sive de rebus Gallicis*, Bremæ, 1590. Whether the author, who calls himself *Jacobus Francus*, was a Frenchman or a German, he fully represented the sentiment of the Huguenots, and was rewarded by the papal authorities by honorable mention in *Index Librorum Prohibitorum*, s.v. Lauterbach.

<sup>1</sup> *Histoire du règne de Louis XIII.* (Amsterdam, 1701), II. 339, 340.

## THE BOHUN WILLS, II

(Continued from the April number)

### III

Will of Humphrey de Bohun, sixth (son of the fourth and brother of the fifth) Earl of Hereford of the name. Born about 1308; died, unmarried, in the Bohun castle of Plessy, Essex, October 15, 1361.<sup>1</sup> *Royal Wills*, 44, for the original.

In the name of the Father, Son, and Holy Ghost, Amen. The Sunday after Saint Denys, in October, in the year of the Incarnation of our Lord Jesus Christ one thousand three hundred and sixty-one, we, Humphrey de Bohun, Earl of Hereford and Essex, and Lord of Brecknock, of sound and good memory, make our will in this manner. First, we bequeath our soul to God in reverence of the Trinity and of Saint Augustine, for whom we have great affection, and for the reason that God has bestowed upon us riches and honors in this world, which at the last are only vain glory, we bequeath our body to lie and be buried among the poor friars of the order of Saint Augustine, that is to say, in the choir of their church in London, in front of the high altar.<sup>2</sup> We do not wish that our executors should make for us, on the day of our burial, any common distribution among the poor, or that they should appear as great lords, neither the one nor the other, or that they should provide any feast on the day of our burial except only for a bishop who shall pray at our burial and for the poor friars and for our household, or that they should provide any herce except one for thirteen wax tapers,<sup>3</sup> each of the weight of five pounds, and let them order our tomb according to what they consider proper and in whatsoever place we happen to die. We bequeath to the parson of the parish church of that place £ 20, provided that he pray for us and assoil us if we have done anything wrong against his church in [withholding] tithe offerings or in anything else,<sup>4</sup> and release us from all manner of actions and challenges that he can

<sup>1</sup> He had been an invalid for many years, resigning in 1338 the Constablership of England, for that reason, in favor of his younger brother, the Earl of Northampton. *Fœdera*, II. part iv. 23. Perhaps his state of health explains his not having married.

<sup>2</sup> The testator had rebuilt this church in 1354.

<sup>3</sup> One for Christ and twelve for his apostles; this appears to be the meaning generally of the use of the number thirteen, which is quite common. See below in this will, 'thirteen chalices . . . in the name of God and of his twelve sweet apostles.'

<sup>4</sup> A common provision in wills. 'I bequethe to the hygh auter of the same Church for my tythes and offrynges forgozeten and withdrauien, xl. s.' Will of John Toker.

have by reason of our burial [service?] and interment, in any respect; and inasmuch as our soul will be at God's command, we wish that our executors shall send the body very privately to London with our confessor and other persons most of whom should be chaplains, and let it be buried there privately. We will also and wish that a pall shall be made, suitable for our body,<sup>1</sup> to remain in a certain place where our household shall stay until our burial shall be appointed, and that each day there shall be said for us the 'placebo et dirige'<sup>2</sup> and masses, and wax tapers [put] around this pall for us, each of three pounds, until the burial shall be had, and each night on the road where this pall shall conveniently rest, instead of our body, we wish that thirteen wax tapers shall be lighted around this pall while 'placebo,' 'dirige' and the mass next day shall be said, before our departure, and these wax tapers shall remain to the church in which the service shall be said if there be but one church in the place, and if there be two or more then the tapers shall be divided among them according to the direction of our confessor, to pray for us.<sup>3</sup> We will also and wish that as soon as possible after our decease all our debts be paid, as well those which we have charged by word of mouth, which are proved, as the rest, and that accord and satisfaction be made to all persons to whom our executors can learn that we have done wrong or trespass in whatever way. We wish also and will that all our household remain together at our expense until each shall be paid that which we have bequeathed to him, according to what is contained below, and that each be charged that he shall take his pay to pray for us. We will also and wish that immediately after payment of our debts our executors shall deliver to brother William de Monkland, our confessor, to brother William Wilhale, Master of Divinity,<sup>4</sup> and brother Geoffrey de Berdefeld three hundred marks of silver, with which to appoint and assign where they shall consider it of most importance fifty brethren of the same order, who are of good and holy life to chant masses, that is to say, 'placebo et dirige,' 'commendation,' and other devout prayers for us every day through the whole of the first year after our death, and that each of them chant for us the same year a full trental<sup>5</sup> of masses, and that thirteen of the same fifty brethren keep vigil day and night in whatever place they are assigned at the discretion of the three brethren above named, some to relieve the others through the whole year aforesaid and say 'placebo et dirige,' psalters, and other devout prayers, and that the aforesaid brethren

1428, *Earliest English Wills*, 77. 'Also y bequethe to the hye Auter for my Offryng, yef any be foryeten, 6 s. viii. d.' Will of Richard Whyteman, 1428, id. 81.

<sup>1</sup> That is, there was to be a covered coffin, in representation, for the exercises following; the body itself having been sent on to London for burial.

<sup>2</sup> 'Placebo' is the first word in the vesper service for the dead; 'dirige' (whence 'dirge') the first word of the first anthem at matins for the dead. *Fifty Earliest English Wills*, 137.

<sup>3</sup> That is, to the end that prayers be said for us in such churches. The language of wills is generally unstudied, and often irregular in syntax.

<sup>4</sup> Synonym at the time of doctor of divinity.

<sup>5</sup> Thirty full masses, in thirty days.

shall be sworn of this our will to do faithfully according to the requirement of our confessor and of the other two brethren named, under the oversight of our executors. And if one of the three brethren die, the two shall choose another in his place, under the oversight of our executors. We bequeath to the order of the friars aforesaid a tomb with tabernacles and finials,<sup>1</sup> and with stones for placing in view the body of our Lord, if the said tomb should remain to us after our decease, and to the same order a gold cup to be made into a chalice, and a white vestment of our chapel, and a black vestment on the borders of which are arms of England. And we wish that these things shall remain in the order, to serve where it may be considered best. And we wish that these things shall be provided by our executors, and that our said confessor appoint annual chantries<sup>2</sup> in the order of the value of the joys below<sup>3</sup> mentioned for each year.<sup>4</sup> We bequeath also to the three orders of mendicants in London, that is to say, to the Friars Preachers, Minorites, and Carmelites, to each house £10, to pray for us. We bequeath also to the students of the four orders of mendicants in Oxford and Cambridge, that is to say, the Friars Preachers, Minorites, Carmelites, and Saint Augustine, to each house £10, to pray for us. We bequeath also to our Abbey of Walden £100 of silver to be divided among the monks and to the profit of the house, to pray for us in this manner, that they pardon and assoil us of whatever wrong we have done to them, if anything there be. We bequeath to our said abbey, to serve in the chapel of our Lady there, a silver-bound copy of the Gospels<sup>5</sup> and a vestment of red velvet, with four garments. And for that we are held by a vow to offer in honor of our Lady, for the statue of our Lady in the said chapel of Walden, a large silver gilt crown, lined and having a stripe in the front and of a span in height, we wish that our executors have it made and offer it there, to remain upon the head of the said statue in perpetual memory of us. We bequeath also to our Priory of Lanthony near Gloucester 40 marks, to be distributed among the canons there and to the profit

<sup>1</sup> See Shaw's *Decorative Arts* for an example.

<sup>2</sup> Chantries — chapels — in which masses were to be said annually, *i.e.* on the day of the testator's death, his 'obit.'

<sup>3</sup> The text is 'avantditz,' a slip for 'sudzitz.'

<sup>4</sup> The meaning appears to be that the executors are to set apart funds enough for the celebrating the joys of the Virgin, according to the usual cost. Such provisions were common, the amount to be set apart for the purpose usually being specified, as below, 'five silver chalices in the name of the five joys of our Lady.' See also the will of John of Gaunt (1397), *Royal Wills*, 145, 153, where the testator gives to the high altar of the Friars Carmelites in London 'fifteen marks silver in honor of the fifteen joys of our Lady,' and makes another gift of 'five marks in honor of the five principal wounds of our Lord Jesus, and five marks in honor of the five joys of our Lady.'

As to the joys of the Virgin, see Bridgett, *Our Lady's Dowry*, ch. 3; Brewer's *Historic Note Book*, 329.

<sup>5</sup> The original is 'tixt dargent.' The meaning is seen in the parallel passage of the will of Martin, Master of the Hospital of Sherburne (1259) — 'textum meum argenteum,' translated as above in *Our Lady's Dowry*, p. 375. See also 'Ordinatio de tixt writers et Lymnours,' *Liber Albus*, 715 (orig. 335 b).

of the house, and [will] that they pray for us. We will also and wish that our executors shall have a silver gilt chalice made of the weight of sixty shillings, to serve in the Chapel of the Trinity which shall be built by us at Lanthony, and that they buy for that [chapel] two pairs of vestments, that is to say, two albs, two amices with the attire ['tier'] which belongs to them, two chasubles of different suits of cloth of gold, with the altar attire ['tyr'] of the suit lined, and curtains, the one pair for day ferials,<sup>1</sup> the other pair for day festivals, and let them offer them altogether in the said Chapel of the Trinity which the prior and convent of our said house shall have built on our behalf in their said house, near the new chamber of the said prior, to remain in the said chapel in perpetual memory of us. And if the said chapel should be begun and not completed at our decease, we wish that our executors have it built entirely at our expense. And if the said chapel should not be begun before our decease, we wish that our executors should have built there a beautiful Chapel of the Trinity, all at our expense. We bequeath also to our Priory of Brecknock 100 marks, to be divided among the monks and to the profit of the house, provided they pardon and assoil us of whatever wrong we have done to them, and pray for us. We bequeath to the Friars Preachers of Brecknock £10, to pray for us, and to the Friars Preachers of Chelmsford £10, to pray for us. We bequeath to our priory of Farleigh 40 marks, to be divided among the monks, to pray for us, and to our Priory of Hurley £20, to be divided among the monks, to pray for us, and to our Priory of Notley 20 marks, to be divided among the canons, to pray for us, and to our Priory of Scoules<sup>2</sup> 20 marks, to pray for us. We bequeath also to our chapel in our castle of Plessy a chalice and a vestment of green with the garments, a missal, and an antiphoner to serve in the said chapel forever, for the salvation of our soul. We bequeath also to brother William de Monkland, our confessor, £100 of silver and a flat silver cup from which we are wont to drink, a small silver pot, six dishes and six saucers of silver, provided he remain where he can more specially pray for us. And we devoutly pray the provincial prior and all the order aforesaid to grant that the said brother William may stay there always, and that his room may be beautiful and honorable, and such as a master of divinity should have. We bequeath also to brother John de Teye, our illuminator ['luminour'],<sup>3</sup> £10, to pray for us. We wish also and will that our executors have thirteen chalices made, in the name of God and of his twelve sweet apostles, and five silver chalices

<sup>1</sup> Holidays on which no feasts are to be celebrated. See Meagher, *Festal Year of the Church*, 60.

<sup>2</sup> Probably a misreading for Stoneley, or Stoneleigh, in Warwick. See *ante*, p. 425.

<sup>3</sup> Limner or illuminator of manuscripts and books. 'Ordinatio de tixt-writers and lymnours,' *Liber Albus*, 715 (orig. 335 b). 'The business of the limner consisted in transcribing books and adorning them with vignettes and illuminated capital letters.' *Liber Albus*, Glossary, 'Lymnour.' Here we have the 'Scriptorium,' common to all the monasteries, in the house of a layman. See *ante*, p. 420, on this interesting fact. The word occurs again below, 'John Luminour.'



in the name of the five joys of our Lady,<sup>1</sup> and that they cause them to be sent to divers poor churches, to each church a chalice, provided we are forever in the prayers of the people worshipping in the said churches. We bequeath also to the Abbess and Nuns of Caen in Normandy £30, to pray for us. We bequeath also to our dear nephew, Humphrey de Bohun,<sup>2</sup> a gold nouch surrounded with large pearls, having a ruby in the midst set between four pearls, three diamonds between three pearls and three emeralds, and a pair of gold paternosters of fifty pieces having the large beads [‘gaudez’] of stone, and a gold cross in which is a piece of the true cross of our Lord. We bequeath also to our niece Elizabeth of Northampton<sup>3</sup> our bed having arms of England together with canopy, curtains, and ten [pieces of] tapestry. We bequeath to our niece, Lady Catharine D’Engayne<sup>4</sup> £40 for her chamber. We bequeath also to our sister, the Countess of Ormond,<sup>5</sup> two silver pots, twelve dishes and twelve saucers of silver for her house. We bequeath also to our brother my lord Hugh de Courtenay, Earl of Devonshire, a large sapphire stone of delicate blue color. We bequeath also to our sister, the Countess of Devonshire,<sup>6</sup> our green bed powdered with red roses, together with all the apparel, and a chaplet set with great sapphires and large pearls, and a basin, finally, in which we are accustomed to wash our head, which belonged to madam my mother. We bequeath also to the Abbot of Walden £40. To Sir Nicholas de Newton 100 marks. To Sir Thomas de Walmesford £40. To Sir Stephen atte Roche £20. To Sir William Agodeshalf £10. To Sir Walter Blount and to Marian his wife 100 marks and our best robe with mantle furred with menever, and the said Marian shall have charge of delivering entirely to our executors all our jewels and all our other things which she has charge of, except sheets and coverings which we wish should be divided among our young women, to pray for us. We bequeath also<sup>7</sup> to Letice de Massendon £20. To Helen Smyth 10 marks. To Tamazine Belle 40 marks for her marriage, or more if she shall be well married. To John de Cherteseye 40 marks, if he shall give aid and attention to our executors. We bequeath to Robert Nobet and to Catharine, his wife, 40 marks. To Simon Peiche £20. To William Nobet £10. To John Mandeville 20 marks. To Ine de Sandhurst 20 marks. To brother William Belle £10. To John Atteford 10 marks. To Thomas Docking £20, if it shall not be advanced before our decease, and if it should be

<sup>1</sup> *Supra*, p. 633, note 4.

<sup>2</sup> His heir, the seventh Earl of Hereford.

<sup>3</sup> Only daughter of his brother William, Earl of Northampton, married to Richard, son and heir to Edmund, Earl of Arundel. *Royal Wills*, 51, note; Dugdale, *Baronage*, I. 186.

<sup>4</sup> Daughter of Hugh, Earl of Devon (husband of Margaret de Bohun), married to Thomas, Lord D’Engayne. *Dugdale* I. 467.

<sup>5</sup> Eleanor, his elder sister, wife of James Butler, Earl of Ormond. See her father’s will and its reference to her, *ante*, p. 424.

<sup>6</sup> Margaret, his younger sister. See her will, *post*.

<sup>7</sup> What follow are gifts apparently to the testator’s servants.

advanced we wish that it should be no more than £10. To John atte Roche 40 shillings. To John Bonnallet' £10. To William of the wardrobe £10 and a robe with a mantle for all his pay ['fee']. To Henry Skinner 100 shillings. To John Middleton £10. To Richard Maldon 100 shillings. To Piers Peyn 10 marks. To William Hurle 20 marks and a robe. To Watkin Potter 100 shillings. To Walter of the chamber 20 marks and a robe. To Raunde of the chamber 100 shillings. To Henry of the chamber 40 shillings. To John Rolf 5 marks. To John Limner ['Luminour']<sup>1</sup> 40 shillings. To John red pottager ['rouge Potager'] 40 shillings. To William de Barton, spearman ['hastilier'], 40 shillings. To John Usher 40 shillings. To William Gamage 40 shillings. To John Ralgh, huntsman, forty shillings. To a boy for the farrier 20 shillings. To John Ravenston 40 shillings and an old robe, that is to say, coat and surcoat. To Robert de Legh'es 2 marks. To Salkyn Wystok two marks. To Benoyt of the kitchen 1 mark. To Whitenod 1 mark. To Gibbe Parker 1 mark. To Perimant 1 mark. To Roger Hergest 40 shillings, for livery ['laveurye'] of 1 boy 20 shillings. To six carters, each of them 5 marks, that is to say, to those who have staid longest with us, and to the others of less time according to their stay, by the judgment of our executors. To Master Thomas le Ferour<sup>2</sup> 5 marks. To Davy who is barber and waterman forty shillings. To a boy workman ['feurer'] 1 mark. And that none of our household aforesaid be paid if not living after our death and staying with us. We bequeath also to the executors of Stephen de Greveshende, late Bishop of London, 20 marks, the which we owe him. We wish also that all the expenses which our executors shall incur either by themselves or by others about the execution of our will they shall pay out of our goods; and [in regard to] the rest of our goods and chattels which are not bequeathed or paid, whatever it is in amount, we wish that it be sold and the moneys collected together and sent to London, and there, according to the judgment of our executors and the wisest brethren there, be appointed to pay our debts so that none shall be in arrears; and as to all the surplus we wish that it be divided and spent in divers alms, namely, in seven<sup>3</sup> works of charity and in masses chanted by the holiest men wherever one can find them, and in other alms for the best and most availing profit for our soul. We wish also that according to the advice of our confessor and our executors allowance be made to all the parish churches where we have lived, so that nothing be in arrear of tithes or offerings or anything else which pertains to the right of the church, whatever it be. We wish also that all our jewels which remain to us after our debts [are paid], because we have had great delight in looking at them, that they all be sold and the money spent in divers alms according to the advice of our con-

<sup>1</sup> See *supra*, p. 420. The name no doubt designates the person's occupation — illuminator of manuscripts.

<sup>2</sup> Probably not a family name, but the farrier.

<sup>3</sup> A holy number; the joys of the Virgin are sometimes reckoned as seven instead of five, but it is doubtful whether these are alluded to.

fessor and our executors. Of this our will we appoint and make as our executors brother William, Abbot of Walden, brother William Monkland, our confessor, Sir Nicholas de Newton, and Sir Thomas de Walmesford, and Sir Stephen atte Roche, our clerk. And we pray our very honorable father in God<sup>1</sup> that all these things may be done according to our will. We wish also and will that our executors employ a chaplain, who shall be of good condition, to go to Jerusalem<sup>2</sup> chiefly for my lady my mother and for my lord my father — to whom may God show true mercy — and for us, and that the chaplain be charged to say masses on the way, every time that he can conveniently, for our souls. And also let our executors employ a good man and true to go to Canterbury and offer there for us 40 shillings of silver; and another such man to go to Pontefract and offer there at the tomb of Thomas, late Earl of Lancaster, 40 shillings.<sup>3</sup> We wish also that if we have forgotten to put in our will any of our servants, our executors shall find five chaplains all the year to chant for our soul and for the souls of those who have served us, and to pray for us. We will also and appoint that our executors take £100 and buy a parcel of land and enfeoff John de Mortimer and his children of his body begotten, and that the land be entailed so that it cannot be aliened, if the said John should then<sup>4</sup> be living, and if he should be at God's command that they make an estate of inheritance forever to his children, to pray for us. We wish also and appoint that immediately after our death our executors and our confessor appoint chaplains, the holiest men they can find, as well secular as religious, to pray for us. In testimony whereof we have fixed our own seal to this will, in our presence in our castle of Plessy, the day and year above written. And because we are of mind to make a chantry with certain chaplains in honor of God and of our Lady and of Saint Anne, to pray for us in manner as shall be appointed, which thing was partly begun and then interrupted by the death of our dear brother, the Earl of Northampton,<sup>5</sup> whom God assoil, we wish that if the said chantry shall not be finished in our lifetime our executors buy as much land [as is] of the true value of the manor of Dunmow<sup>6</sup> and finish the said chantry in the Priory of Scoule,<sup>7</sup> if they can agree, or elsewhere according as they can best do it. We wish also and will that after all these things [are] done, contained in our will above, our executors take 10,000 marks and spend the same by counsel and advice of the brethren above-named in chantries and other seven works of charity,

<sup>1</sup> Simon, Archbishop of Canterbury.

<sup>2</sup> As to pilgrimages see *Our Lady's Dowry*, ch. 9.

<sup>3</sup> This was the Thomas, Earl of Lancaster, who was defeated and taken prisoner at Boroughbridge, March 16, 1321-2, and executed for treason. To the son of his comrade of the Welch marches, and to the nation generally, he was now accounted saint and martyr.

<sup>4</sup> At the testator's death.

<sup>5</sup> His brother William, the distinguished military commander, who had died a few months before.

<sup>6</sup> A Bohun manor in Essex, the subject of *The Flitch of Dunmow*.

<sup>7</sup> See *ante*, p. 634, note 2.

according as they can best agree that it shall be best for our soul and also for paying debts if any should be in arrear. And let all the rest be spent as is above bequeathed in our said will.

(Probated before Simon, Archbishop of Canterbury, 19th October, A.D. 1361, at the New Temple, London.)

## IV

Will of Humphrey de Bohun, seventh (nephew of the sixth) Earl of Hereford of the name. Born in 1341; died in Plessey Castle, Essex, January 26, 1373.<sup>1</sup> *Royal Wills*, 57, for the original.

In the name of God, I, Humphrey de Bohun, Earl of Hereford, Essex, and Northampton, and Constable of England, of good and sane memory, make my will the 12th day of December, in the year of grace one thousand three hundred seventy-two, in manner following. First, I bequeath my soul to God Almighty, to the benign Virgin Saint Mary, and to all the saints of heaven, and my body to be buried in the church of the Abbey of Walden. And I give and bequeath all my goods and chattels, living and dead movables, and non-movables,<sup>2</sup> of whatever kind they may be, to master Simon by the grace of God Bishop of London,<sup>3</sup> Sir ['Monsire'] Guy de Bryane, Sir ['Monsire'] John de Moulton, Sir ['Monsire'] Robert de Tye, John de Gyldesburgh, and Sir Philip de Melreth, to bury my body and to pay the debts of my honored lord and father,<sup>4</sup> whom God assoil, and also to pay in full my own proper debts; and I will that my said body be buried and the debts of my said very honored lord and father, and also my own proper debts, be paid, and that the residue of all my goods and chattels be used for my soul and for the souls of those to whom I am bound, according to the disposition of the aforesaid bishop, Sir ['Monsire'] Guy, Sir ['Monsire'] John, Sir ['Monsire'] Robert, John, and Sir Philip, whom I make and appoint my executors of this my will, and for the oversight of this, Sir ['Monsire'] Richard, Earl of Arundel and Surrey, Joan, my very dear wife,

<sup>1</sup> He was the last Earl of Hereford, properly; having left daughters only, Eleanor and Mary, before mentioned. Henry Bolingbroke sometimes styled himself Earl of Hereford, in right of his wife, this Mary. The Staffords too, from 1403 to 1521, were styled, along with their other titles, earls of Hereford, through Anne, Countess of Stafford and daughter of Eleanor, Mary's elder sister. In 1550 Walter Devereux, also connected with the Bohuns, through female lines, was created Viscount Hereford, and the Devereux still hold that title.

<sup>2</sup> This does not mean, as it would now, lands; but just what it did mean is not clear. It was a common expression in wills. Perhaps it was intended as a mere comprehensive term, to cover, with the contrasting word 'movables,' all kinds of goods and chattels whatsoever, especially heirlooms.

<sup>3</sup> Afterwards Archbishop of Canterbury; beheaded by Wat Tyler's mob, 1381.

<sup>4</sup> His father (William, Earl of Northampton) had incurred heavy debts in providing for his French campaigns under the king. The king had reimbursed him only in part. *Rolls of Parl.* IV. 139; Dugdale's *Baronage*, I. 185.

and Adam Fraunceys, citizen of London. Given at Plessy the day and year aforesaid.

(Probated before William Whittlesey, Archbishop of Canterbury, 7th May, A.D. 1373.)

V

Will of Margaret de Courtenay, Countess of Devon, daughter of Humphrey de Bohun, Earl of Hereford and Essex, and Elizabeth Plantagenet, daughter of Edward the First. Born about 1310; married to Hugh de Courtenay August 11, 1325; died December 16, 1391.

Translated from a transcript of the original MS. in the Public Record Office, London (2 Rous), specially furnished.<sup>1</sup>

In the name of the Father, Son, and Holy Ghost, I, Margaret de Courtenay, Countess of Devonshire, in good sound life and memory make this my will the 28th day of January, in the year of the Incarnation of our Lord Jesus Christ 1390, in this manner. First, I commend my soul to God and to our Lady Saint Mary and to all the saints of heaven, and my body to be buried in the Cathedral Church of Exeter near my lord.<sup>2</sup> And I wish that my debts be first paid out of all my goods and chattels which I have on the day of my decease, and that satisfaction be made to all my servants if any of them be in arrear. And I will for my herce and pray my executors that there be no other herce around me except bars to save the people in the press from harm, and two tapers each of five pounds, the one at my head the other at my feet, without torches or other lights or work of carpentry around me. And I wish that on the day of my burial there be distributed among poor men and women £20, and that distribution be made first to women intending to set out for Egypt [*'gisauntz en gipsyen'*]<sup>3</sup> and to poor men and women who cannot go [*'aler'*], to each a groat, and then to my poor tenants the remainder. And I wish to be buried at the end of thirteen weeks, and that each day of the said time there shall be said for the souls of my lord and myself *'placebo et dirige,'* and masses. And I bequeath for keeping house for the same time £100;

<sup>1</sup> In the margin of the MS., *'Testamentum Domine Margarite Curtenaye Comitisse Devonie matris Domini [Hugonis de Curtenaye, Comitis Devonie].'*

<sup>2</sup> That is, her husband, who had died thirteen years before. The word here and elsewhere in this will translated *'my lord'* is *'Mounsire,'* or perhaps *'Mounseigneur';* it is written *'Mounsr.'* and *'Monsr.'*

<sup>3</sup> That is, on pilgrimage. *'Gisauntz,'* which can hardly be from *'geter'* or *'jeter,'* much less from *'giser,'* is probably from *'quider'* (*'cuider'*), pres. part. *'quisans,'* Eng. *'guess'* (compare *'quoith'* and *'be-queath'*), to be thinking or intending (to go). Skeat says that *'guess'* is cognate with A.S. *'gitan,'* Eng. *'get,'* and that *'guess'* at first probably meant *'to try to get.'* *Etymological Dict. 'Guess.'* *'Trying to get to Egypt'* would agree with the idea of the gift. Skeat does not mention *'quider.'* On bequests for pilgrimages see Sharpe's *Calendar of Wills*, Introd. II. xxviii.; Bridgett, *Our Lady's Dowry*, chs. 9, 10.

if anything remains thereof I wish that so much in masses be chanted for my soul by the Friars Minorites of Exeter. And I wish that [memorial of] the day of my death shall be kept on the day after my interment. And I will for the souls of my lord and myself during the first year from my decease ten trentals.<sup>1</sup> Item, I bequeath for the souls of my lord and myself to the Friars Minorites of Exeter for chanting seven annual diriges £10. Item, to the Friars Preachers of Exeter for chanting three annuals £4, 10sh. Item, I will for the souls of my lord and myself that one hundred poor men be clothed in coats, hats, shirts ['chemys'],<sup>2</sup> and breeches ['breis'] and shoes. Item, I will for the souls of my lord and myself that £200 be distributed among the daughters of knights and gentlemen in aid of their marriage portions and to poor clerks<sup>3</sup> to find [for them] at school, of which 100 marks to Margaret daughter of my son Philip de Courtenay, in aid of her marriage.<sup>4</sup> Item, I bequeath for the shrine of Saint Albingh' £200. Item, I bequeath for my niece Courtenay of Canonlegh<sup>5</sup> 60sh. Item, I bequeath to the Abbess of Canonlegh 14sh. 4d. and to each nun ['dame'] there 3sh. 4d. Item, I bequeath to the Prioress of Polslo 13sh. 4d. and to each nun ['dame'] there 3sh. 4d. Item, to the Prioress of Cornworth 13sh. 4d. and to each nun there 3sh. 4d. Item, to the sisters of Ilchester<sup>6</sup> 13sh. 4d. Item, I bequeath to the Abbot and Convent of Ford<sup>7</sup> 100sh. and to each monk ['moigne'] there 3sh. 4d. and to each friar ['frere'] there 2sh. Item, I bequeath to the Prior and Convent of Henton Charterhouse 100sh. Item, I bequeath to the Prior of Bearliche and to the canons there 40sh. Item, I bequeath to our Lady of Walsingham my ring with which I was espoused and 40sh. Item, I bequeath to the Friars Preachers of Exeter 40sh. Item, to the Friars Minorites £10. Item, I pray, my very honored son [Archbishop] of Canterbury<sup>8</sup> that the said Friars Minorites have £6, 13sh. 4d. to buy off a mark of rent which they carry out of their house yearly.<sup>9</sup> Item, to the said friars a silver 'fessour'.<sup>10</sup> Item, to brother John Trewynt 100sh. Item, I bequeath to the Bishop

<sup>1</sup> That is (it seems) ten times the thirty masses on thirty days, or three hundred masses in as many days.

<sup>2</sup> Speaking of the effigy of Richard the First at Fontevraud, as engraved by Stothard, Fairholt (*Costume*, I. 91) says: 'His tunic is white, and under this appears his camise or shirt.'

<sup>3</sup> Clergy.

<sup>4</sup> This provision in regard to marriage portions and poor clerks at school recalls the language of the famous Statute of Elizabeth in regard to gifts to charities. 43 Eliz. c. 4. See 1 Jarman, *Wills*, 200, 6th Am. ed. (Bigelow).

<sup>5</sup> Canon Hill, Dorset?

<sup>6</sup> In Somerset.

<sup>7</sup> Near Exeter.

<sup>8</sup> This is the William de Courtenay before whom Wiclif had been summoned in 1377. He was then Bishop of London.

<sup>9</sup> Interest at 10 per cent.

<sup>10</sup> Utensil for dressing the vine. Jaubert's *Glossaire*, 'Fessour, fessoir.' 'Pioche large au milieu de la lame et terminée en pointe.' 'Houe, pioche pour les jardins.' Vayssier's *Dict.*, 'Fessou.' Compare the gift to-day of a silver trowel.



John Ware 6osh. Item, I bequeath to each of the four orders, that is to say, Preachers, Minorites, Carmelites, Austins, 10osh. for their Chapter-general. Item, I bequeath for putting upon the high altar of Crukern<sup>1</sup> 2osh. Item, [upon] the altar of Colyton, 3osh. Item, upon the altar of Exminster 4osh. Item, upon the altar of the Church of Okehampton 3osh. Item, upon the altar of the Church of Chulmley 3osh. Item, upon the altar of the Church of Plympton 3osh. Item, I bequeath for the repair of the chancel of Colyford 4osh. Item, for the repair of the chancel of Musbury marsh<sup>2</sup> 4osh. Item, I bequeath to the Cathedral Church of Exeter a pair of basins which were for [washing] the hands of my lord for every day for ministering at the high altar. Item, I bequeath to William my son, Archbishop of Canterbury, a gilt chalice and my missal which I had from Sir William Weston, and my best bed with all the apparel which he may wish to choose, and my diamond which I had from Joan my daughter and 40 marks for a vestment and a silver gilt goblet [‘godet’] which I had from my brother of Northampton.<sup>3</sup> And I wish that the aforesaid bed, after the decease of my said very honored son, remain in the Priory of Canterbury. Item, I bequeath to my said very honored son a pair of silver basins with the arms of Courtenay on the bottom, with God’s blessing and my own. Item, I bequeath to Sir [‘Monsire’] John Cobham<sup>4</sup> a silver hanap with cover [having the figure] of an eagle. Item, to my daughter Cobham £40. Item, to my daughter Luttrell £40 of that which she owes me and a tablet of wood painted for each day, for the altar,<sup>5</sup> and my tablet of Cypress [Ipres work?] with the [figure of a] hand, and my book called Tristram. Item, to my daughter Dengayne £40 and my two primers, and a book called Artur de Britaigne.<sup>6</sup> Item, I bequeath to my son, Earl of Devonshire, all my swans in the town of Toppesham and twelve dishes and twelve saucers of silver and two silver chargers. Item, to my daughter, the countess, his wife £20. Item, I bequeath to my son Philip de Courtenay all my chapel [furnishing] with books, vestments, candlesticks, censers, surplices and all other appurtenances of my said chapel, except what I have otherwise willed by my testament. Item, a silver hanap, covered and gilt, which belonged to the Bishop of Exeter, and a pair of basins enamelled in the bottom with the arms of Hereford and Courtenay quartered. Item, a wagon [‘caru’] with all the apparel, at Thurlston. Item, another at Yelton and another at Brodewyndesore,<sup>7</sup> and the crucifix which I have carried for my worship and that Richard, his son, shall have it after his decease, with God’s blessing and mine. Item, I bequeath to my daughter

<sup>1</sup> In Dorset.

<sup>2</sup> This was not the only Church-in-the-Marsh: there was a church of Stratford-in-the-Marsh—the Stratford near London. Most of the places just named in the text bear the same names still, and are in Devonshire.

<sup>3</sup> William de Bohun, Earl of Northampton.

<sup>4</sup> Her son-in-law.

<sup>5</sup> See Inventory, *ante*, p. 430, among effects of *Eleanor*, sister of testatrix.

<sup>6</sup> The original, probably, of the romances of King Arthur.

<sup>7</sup> Broad Windsor, in Dorset.

Lady Anne Courtenay a ring having a diamond, which I had from herself, [the ring being?] of gold chains,<sup>1</sup> and £20. Item, I bequeath to Peter, my son, my red and green bed striped, with all the apparel, together with a Holland quilt [‘quntepoynt’] striped with peacock’s feathers and red velvet, a pair of sheets of Liège<sup>2</sup> linen [figured] with quatrefoils, together with the best coverlet of menever, and a pair of silver basins having the arms of Hereford and Courtenay quartered in the bottom, enamelled, and a wagon [‘carru’] with the apparel at ‘Esteoker,’ with God’s blessing and mine. Item, to Sir [‘Monsire’] Hugh Luttrell six dishes and six saucers of silver. Item, I bequeath to Richard Courtenay certain silver vessels of the value of £100, and that my very honored son of Canterbury have them in his keeping until he shall be of full age. And if he die under age, that my said very honored son dispose of them for my soul. Item, I bequeath to Hugh, son of the Earl of Devonshire, my little [grand] son, six dishes and six saucers of a sort. Item, I bequeath to Anneys Chamber[n]on<sup>3</sup> £13, 6sh. 8d. and a book of ‘Medycynys et Marchasye,’ and another book called ‘Vices and Virtues,’<sup>4</sup> and a book called ‘Merlyn.’<sup>5</sup> Item, to Alyson Anst 60 shillings. Item, to Margaret Drayton, my little [grand] daughter, £10, the which I have for her in my keeping, and also that she have £20 in the distribution of the £200 aforesaid. Item, I bequeath to the altar of the tomb of my lord and myself six towels having six frounces and twelve other towels, six pieces of linen for the altar, six albs, six amices having the apparel, six chasubles, six stoles together with six fanons, and two cruets of the round sort. Item, I bequeath to Thomas Staneys my beautiful diamond which I had from the queen.<sup>6</sup> Item, to Sir Stephen the hermit [‘Lermyte’]<sup>7</sup> of Crukern 40 shillings. Item, to John Radston 100 shillings. Item, to William Bykebury, to stock his lands, £20. Item, I wish that little Richard Hydon have 100 shillings of the £200 aforesaid, and that it be put to increase for him. Item, to Richard Trist 60 shillings (of the £200 aforesaid and that it be put to increase for him).<sup>8</sup> Item, to

<sup>1</sup> ‘Un anel ove un dyamaunt qe ievoye de luy meymes de Cheynes dor.’

<sup>2</sup> A town in modern Belgium.

<sup>3</sup> Probably the familiar Devonshire name Champernown, a family settled there before the time of this will (*Gentleman’s Magazine*, III. 156, ed. Gomme), though, strangely enough, not appearing in the Index to *Calendarium Genealogicum*.

<sup>4</sup> ‘Vices and Virtues’ appears also in the will of Eleanor, Duchess of Gloucester, *post*, p. 647. The MS. has been printed by the Early Eng. Text Society, London, 1888, under the title, ‘Vices and Virtues, being a soul’s confession of its sins with Reason’s description of the Virtues. A Middle-English dialogue of about A.D. 1200.’ Edited by F. Holthausen.

<sup>5</sup> Early Eng. Text Society, Wheatley; also in Geoffrey of Monmouth. And see Ellis, *Early English Metrical Romances*.

<sup>6</sup> Probably Isabella, wife of her uncle, Edward the Second.

<sup>7</sup> As to bequests to hermits and anchorites see Sharpe’s *Calendar of Wills*, Introd. II. xxi. Most of the legatees following were probably of the household of the testatrix.

<sup>8</sup> The words in parenthesis inserted, ‘vacat.’

my monk<sup>1</sup> of Donkeswelle 40 shillings. Item, to Sir Henry Brokelond 40 shillings. Item, to Sir John Dodyngton six dishes, six saucers of silver, and my red missal, and a lean colt. Item, to Sir John Stowford 60 shillings. Item, to Sir Laurens Hankyn 100 shillings. Item, to Sir John Hamond 60 shillings. Item, to Sir Nell Brode 40 shillings. Item, to Sir Thomas Attelee 100 shillings. Item, to Sir John Dagnel, parson of Ken, 40 shillings. Item, to Sir Walter [architect ?] of my lord's tomb 60 shillings. Item, to Otis Chambernon 100 shillings and a good colt. Item, to Henry Burton £13, 6s. 8d. and the best horse-colt which he may wish to choose. Item, to Jankyn Farewey 60 shillings. Item, to William Amadas 60 shillings. Item, to Jankyn Baret 40 shillings. Item, to the Bishop of Exeter the best gold paternoster which I have. Item, to the Abbot of Clyve 60 shillings. Item, to John Roger £10. Item, to John Spore 60 shillings. Item, to Simkin, clerke of the kitchen 100 shillings. Item, to Robert Halle 60 shillings. Item, to Baldwin Haghell 60 shillings. Item, to William Fychet 60 shillings. Item, to John Blessy 100 shillings. Item, to William Rohe 40 shillings. Item, to John Freke 40 shillings. Item, to Richard Baldwin 40 shillings. Item, to Walter Secher 40 shillings. Item, to Roger Thorneston 40 shillings. Item, to Thomasyn Lavandre<sup>2</sup> 40 shillings. Item, to Alice her handmaid ['damisel'] 13s. 4d. Item, to John Damisel Gardiner<sup>3</sup> of Exminster 13s. 4d. Item, to William Allen 13s. 4d. Item, to Thomas Perkyn 20 shillings. Item, to Bertlot 20 shillings. Item, to Walter Squillere 13s. 4d. Item, to Thomas Love 13s. 4d. Item, to Andrew Baker 13s. 4d. Item, to John Hicks 13s. 4d. Item, to William Ttype 40 shillings of the £200 aforesaid. Item, to William Porter 20 shillings. Item, to Bendbowe 13s. 4d. Item, to Walter, page of the stable, 13s.<sup>4</sup> Item, to John Matford 13s. 4d. And I bequeath all the residue of all my goods and chattels not willed in this my testament to my said very honored son the Archbishop of Canterbury to dispose of for my soul. And I make and appoint my said very honored son, the Archbishop of Canterbury, and Sir ['Monsire'] John Cobham overseers ['surueyours'] of this my testament to oversee that all my will be accomplished. And for accomplishing this my testament I make and appoint as my executors my very dear sons Philip de Courtenay, Peter de Courtenay, Robert Wylford, Sir John Dodyngton, Otis Chambermoun and Stephen Denclve for the performing<sup>5</sup> [the same] under the oversight of the said overseers in manner as aforesaid.<sup>6</sup>

[Probate not given.]

<sup>1</sup> With 'mon moigne' compare 'monsire,' in the usage of the time. Both denote intimacy.

<sup>2</sup> Tamasin of the laundry, probably.

<sup>3</sup> *Sic*; but not to be taken as a person having three names. 'Gardiner' probably signifies occupation. 'Damsel' is odd.

<sup>4</sup> These items, '13s. 4d.' being a mark, it is probable that there is an omission here of the '4d.'

<sup>5</sup> Redundant words.

<sup>6</sup> Of the many great estates of the testatrix (Dugdale's *Baronage*, I. 640, for the

## VI

Will of Eleanor, Duchess of Gloucester, elder daughter of Humphrey de Bohun, last Earl of Hereford, and widow of Thomas of Woodstock, Duke of Gloucester. Born in 1359; died in Plessy Castle, Essex, October 3, 1399.<sup>1</sup> *Royal Wills*, 177, for the original.

In the name of God, amen. I, Eleanor, Duchess of Gloucester, Countess of Essex, &c., being of good and sane memory, in my castle of Plessy, the ninth day of August, the year of our Lord one thousand three hundred and ninety-nine according to the course of the Church of England, regarding and considering the evils and uncertainties of this variable and transitory world, appoint and intend [‘devise’] my last will and testament as follows. First, I commend my soul entirely to the great and innumerable mercies of our all powerful and very merciful Lord Jesus Christ, asking for the aid of his holy mother, the very humble Virgin, our very sweet Lady Saint Mary, of my Lord John the Baptist, and of all the company of heaven. Item, I will for my burial that my body be buried in the Church of Westminster Abbey, in the Chapel of Saint Edmund the King and of Saint Thomas of Canterbury, near the body of my lord and husband Thomas, Duke of Gloucester, and seventh son of King Edward the Third, and should it happen that the body of my said lord<sup>2</sup> and husband in time to come should be removed I wish that my body repose and remain in the aforesaid chapel and place.<sup>3</sup> And I will and appoint that on the day of my burial my executors provide that my body be covered with a piece of black tapestry with a white cross and escutcheon of my arms in the midst of the said cross, and four round wax tapers and seven plain lamps standing at

list), one, Powderham, near Exeter, brought by her to her husband, is still the seat of the earls of Devon. The present earl, a descendant of one of the younger sons of the testatrix, is Rev. Henry Hugh Courtenay, Rector of Powderham. From the Courtenays, through the Grenvilles of Devon and Cornwall, has descended the distinguished family of Drakes of Ashe and other places in Devon; one of whom, John Drake, of Wiscombe, came to New England in 1630 and settled in Windsor, Connecticut, about 1636. From him, and two others of the Drake family who followed some years later, there are many descendants now living in the United States.

<sup>1</sup> On the murder of her husband Eleanor took the religious habit in the convent of Barking, Essex. She was buried in Saint Edmund’s chapel, Westminster Abbey, as she had requested, under a monument of marble having beautifully inlaid upon it, in brass, an effigy of herself at full length, in the garb of a nun. The effigy still remains. A full-page cut of it is given in Sandford’s *Genealogical History*, opp. p. 229.

<sup>2</sup> The original, in *Royal Wills*, here and elsewhere is ‘mon seigneur.’

<sup>3</sup> Her husband had at first been buried in the College of Canons-regular, founded by him at Plessy; whence his remains were removed to Westminster Abbey and placed under a monument in marble, inlaid with brass, containing full-length figures of himself, wife, father, mother, brothers, and sisters. A full-page cut is given by Sandford opp. p. 231. The monument was long since robbed of its brass. Eleanor seems to have feared that her husband’s remains might be removed again.

the four corners. And let there be fifteen men specially chosen for their loyalty to and fear of God, of whatever age or utter poverty, according to the discretion of my executors, each of the said poor men holding a torch, that is to say, five at the head and five at each side, and let each of the said poor men be dressed in a gown, a hood, and a pair of breeches of good strong blue cloth of deep color, and let the said gowns and hoods be lined with white; also let there be given to each of them a pair of shoes and a pair of linen shirts and twenty pence silver [*'esterlinges'*]<sup>1</sup> to pray for my soul and for the soul of my lord and husband aforesaid, and for all the living and dead in particular to whom I am bound, and for all Christians. Item, touching the aforesaid tapers [and] lamps, let there be no torches nor any other manner of lights around my dead body except only at the time of divine service, and, that done, the rest of the tapers, lamps, and torches be given to the service of the said chapel in which I am buried.<sup>2</sup> Item, I bequeath to the Convent of Monks of the said Abbey of Westminster on the day of my burial £10 of money for their pittance. Item, I bequeath to be distributed among the poor, according to the judgment of my executors, on the same day 100 shillings. Item, I bequeath to the Abbess and Convent of Sister Minoresses near London, without the gate of Aldgate, on the same day, for their pittance £6, 13sh. 4d. and a small tun of good wine. Item, I bequeath to the Prior and Convent of Lanthony near Gloucester £13, 8sh. 6d. And to Sir William Sheldon, canon of the said place, 100 shillings. Item, I bequeath to the Church and Abbey of Walden, where my lord and father, Humphrey de Bohun, last Earl of Hereford, Essex, and Northampton, Constable of England, is buried a vestment, with field of balderkin<sup>3</sup> blue, diapered with other colors, [figured] with harts on cloth of gold of Ipres<sup>4</sup> work, that is to say, two table-furnishings, a frontel, a chasuble, two tunics, a cope, three albs, three amices, together with the paraphernalia pertaining to them, and the gold fringes of the said vestment, the whole being of fine gold of Ipres, the field

<sup>1</sup> At this time (1399) the esterling or silver penny contained 18 grains of silver (Shaw's *History of Currency*, 43; *ante*, p. 424, notes), a little more than two pence to-day, or about 4½ cents. Twenty esterlings would therefore amount to 90 cents; which multiplied by 15 to get at the purchase-power in labor of to-day, gives \$13.50 as the money gift to each of the fifteen poor men.

<sup>2</sup> With the provision for poor men and lights at the funeral, compare the following from the will of Sir Thomas Brooks, *Fifty Earliest English Wills*, 129 (1438-9): 'And also that ther be xiii pore men clothid in white, holdyng eche of hem a torghe brennyng at the dirige and at the masse yn the day of my obyte. And afterward the torgis to be dalt iii of hem to the Chirch of Thornecombe, and the remaynande of the torgis to x of the nedyst paryschirches yn the Cuntr: by sidys.' As to the number thirteen, see *ante*, p. 631, note 3.

<sup>3</sup> Cloth from the East of the richest kind — '*pannus omnium ditissimus*' — of silk and gold thread. Du Cange. See also Sharpe's *Calendar of Wills*, Introd. II. xii., where it is said to be a rich brocade woven with gold thread.

<sup>4</sup> Made at Ipres in Flanders. Ipres is here and elsewhere written 'Cypre,' just as Ipswich constantly appears in early times as 'Gipswich.' The cloth here referred to is generally called at the time gold of Cypres cloth.

red. Item, I appoint and will that my executors celebrate, within as short time after my death as they can, a thousand masses for my soul; twenty of the Assumption of our Lady, one hundred and fifty of the Requiem, fifty of my Lord Saint John the Baptist, fifty of Saint John the Evangelist, fifty of Saint Leonard, thirty of All Saints, fifty for the soul of Thomas sometime Duke of Gloucester, twenty of the Nativity of our Lord, twenty of the Resurrection, twenty of the Ascension, fifty of Saint Michael Archangel, twenty<sup>1</sup> —; and as to all these said masses, before the priest begins 'Et ne nos,' the said priest shall say aloud, turning towards the people, 'For the souls of Thomas sometime Duke of Gloucester and Eleanor his wife and all Christian souls for charity, pater noster,'<sup>2</sup> and [then] shall he turn towards the altar and say in secret a pater noster and begin the mass; and in all the said masses shall be said the prayer of 'Deus qui es summa nostrae redemptionis, spes, qui in terra promissionis,' &c., with the 'secretum' and 'post communionem' and the names of my said lord and myself, the said Thomas and Eleanor. Item, I bequeath to madam, my mother, the Countess of Hereford,<sup>3</sup> a pair of coral paternosters having fifty large beads, five of them of gold, in the form of 'longets swages,'<sup>4</sup> and stamped, asking each day some blessing entirely for my poor soul. And in case my said lady die before me, then I bequeath the said paternosters to the Abbess of the Church of Sister Minoresses aforesaid, to remain there in the said abbey from that time forth for a memorial of me. Item, I bequeath to my son Humphrey<sup>5</sup> a bed of black cloth damask. Item, a bed of silk balderkin, the field blue, with white fabrics and canopy entire.<sup>6</sup>

<sup>1</sup> No designation of these, or of the remaining; only 510 are here mentioned, including the twenty unnamed.

<sup>2</sup> This is in English in the will, and was so to be spoken, so that the audience might all understand.

<sup>3</sup> Joan, fourth daughter of Richard Fitz-Alan, fifth Earl of Arundel. She survived her husband forty-six years, dying April 7, 1419.

<sup>4</sup> The first of these words has not been met with elsewhere. The second word occurs again, lower down, in this will, and also in the following sentence in the will of Richard, sixth Earl of Arundel, husband of Elizabeth, daughter of William de Bohun, Earl of Northampton: 'Item, deux chandelers d'argent . . . ove haut pees et mees eschochouns pendantz ove trois quates sur mesmes les chandelers et les swages. enbataillez et enorez.' *Royal Wills*, 129. It is probably our word 'swage,' which as a noun means a tool or die for imparting a given shape to metal when hot. The instrument is of many forms. See cuts in *Century Dictionary*, 'Swage.' The verb means, of course, to shape in a swage. Compare also the noun 'swag,'—in decorative art an irregular or informal cluster: as a swag of flowers in the engraved decoration of a piece of plate, *Century Dictionary*.

Rosaries such as the one here mentioned were worn by the rich as ornaments, usually being suspended from the girdle. The beads were often very large.

<sup>5</sup> Her only son the Earl of Buckingham, sent out of the way into Ireland by the king (a fact alluded to below, in this will), and afterwards imprisoned there. Released on the accession of Henry the Fourth, and sent for by the king, he lost his life on the way home, before the death of his mother.

<sup>6</sup> 'Celour entier.' In English of the time 'hool celure.' *Fifty Earliest English Wills*, 5, last line. 'Celour' occurs also as 'ceil' and 'ciel.'



testerns, coverlets, curtains, and tapestry belonging to it. Item, two pairs of Rennes<sup>1</sup> linen sheets, the one pair having [figured] trefoils, the other quatrefoils. Item, three pairs of sheets of other linen cloth of best quality. Item, a pair of fustians,<sup>2</sup> two pairs of blankets, two mattresses of best quality with all belongings and stuff, which were delivered to his servants on his departure from London for Ireland. Item, a cup of beryl engraved, having a long handle, and set upon a gold foot, with a wide border above, and a cover all of gold, with one large sapphire upon the handle of the said cover. Item, a Chronicle of France in French, with two silver clasps, enamelled with the arms of the Duke of Burgoyne. Item, one book of Giles<sup>3</sup> De Regimine Principum. Item, a book of Vices and Virtues,<sup>4</sup> and another poem of the story of Chivaler a Cigne,<sup>5</sup> all in French. Item, a psalter well and richly illuminated, with gold clasps enamelled with white swans, and the arms of my lord and father enamelled on the clasps, and other bars of gold with work in form of mullets, which psalter was given to me to remain to my heirs, and so 'from heir to heir aforesaid.'<sup>6</sup> Item, a coat of mail having a cross of brass marked on the spot opposite the heart, which belonged to my lord his [my son's] father. Item, a cross of gold hanging by a chain, having a figure of the crucifix and four pearls

<sup>1</sup> A town in France.

<sup>2</sup> Fustian was, it seems, a kind of thick twilled cotton; here of bed-clothing. See Fairholt; Sharpe's *Calendar of Wills*, II. xii.

<sup>3</sup> Egidius, or Giles, a disciple of Thomas Aquinas. The book referred to was a long one, on the education and governing of princes. A metrical translation ('Governail of Princes') was made a little later by Oecleve or Hoccleve. In Shaw's *Dresses and Decorations*, II., there is a plate of Oecleve kneeling and presenting a copy of his translation to the Prince of Wales, afterwards Henry the Fifth, nephew of the testatrix. Thomas Wright edited the poem of Oecleve for the Roxburghe Club, in 1860. See also *Specimens of English Literature*, by Skeat.

<sup>4</sup> See *ante*, p. 642, will of the Countess of Devon, great-aunt of the present testatrix.

<sup>5</sup> To this Knight of the Swan, a mythical personage, the Bohuns and other great people professed to trace their ancestry. Hence the badge of the swan, with the Bohuns. But knights in general were sworn before the swan. On Whitsuntide, in 1306, the king conferred knighthood, as we are picturesquely told by Piers Langtoft (*Siege of Carlaverock*, Nicolas, 194), Trivetus, and others, upon the Prince of Wales and three hundred more (by *Chron. of London*, p. 41, 'there he doubled cclxxx knyghtes') in splendor. Two swans in trappings of gold are brought before the altar: the king is in the midst of the feast, surrounded by the new knights; and now a multitude ('multitudo') of minstrels enter in gay attire and call upon the knights, especially the new ones, to make vow of arms 'coram cygno.' Trivetus, 342; *Siege of Carlaverock*, Nicolas, 370. Then the king himself swears 'before heaven and the swans' to avenge the murder of Comyn by Bruce. Matthew of Westminster, anno 1306. 'The Swanne is goon,' sang a poet on the death (1446) of Humphrey, Duke of Gloucester, son of Mary de Bohun and Henry Bolingbroke, Protector of Henry the Sixth and Father of his Country. *Battle Abbey Roll*, I. 73, Duchess of Cleveland.

<sup>6</sup> The only explanation of the word 'aforesaid' is, that this is a quotation from the terms of the gift, perhaps a will. The book was in law an heirloom, and being a present to the testatrix as an heirloom, was probably illuminated by 'our illuminator.' See *ante*, p. 420.

around it, with my blessing, as a thing of mine which I most love.<sup>1</sup> Item, I bequeath to my daughter Anne<sup>2</sup> a pinner ['espiner,' apron] of linen cloth, bordered on the sides with red 'Accuby' and embroidered, and surrounded with a band not embroidered. Item, a beautiful book and well illuminated in gilt lettering, in French. Item, the best palfrey I have. . . .<sup>3</sup> Item, a pair of gold paternosters containing [beads for] thirty Aves,<sup>4</sup> and four jet ornaments, which belonged to my lord and husband, her father, with my blessing. Item, I bequeath to my daughter Joan<sup>5</sup> a bed of silk of black balderkin, the best. Item, a bed of cloth of gold of Ipres having [figures of] swans and the letter Y, with canopy entire. Item, a little bed of white tartary worked with lions and swans, with canopy entire for a small room ['closet'] and of these said beds which want curtains with tapestry, I wish that such be bought suitable for them according to the advice of my executors. Item, two pairs of Rennes linen sheets, the one pair [figured] with trefoils, the other with quatrefoils. Item, four pairs of sheets of other linen cloth of the best. Item, two mattresses, one pair of fustians, three pairs of blankets, besides all the jewels together with their belongings to be to her own use.<sup>6</sup> Item, twelve dishes and twelve saucers of silver, marked with my arms. Item, a silver gilt hanap having a cover, and stamped with mottoes of April, and standing upon a foot. Item, a flat basin and a ewer of silver having my arms enamelled on the rim of the said basin and the 'swages'<sup>7</sup> gilt. Item, six pieces of new silver [plate] and two silver quart pots and twelve silver spoons. Item, a book having the psalter, primer,<sup>8</sup> and other devotions, with two gold clasps enamelled with my arms, which book I have much used, with my blessing. Item, I bequeath to my daughter Isabella, sister of the aforesaid Minoresses, a bed of cloth of gold of Ipres, striped black and red, with canopy entire, testern, coverlet, curtains, and tapestry. Item, a French Bible in two volumes, having two gold clasps enamelled with the arms of France. Item, a book of Decretals in French. Item, a book of Mystery Stories.<sup>9</sup> Item, a book 'De Vitis

<sup>1</sup> All the foregoing to Humphrey; but the gifts lapsed by his untimely death. See *supra*.

<sup>2</sup> Afterwards Countess of Stafford, ancestress of the Devereux, Viscounts of Hereford.

<sup>3</sup> *Sic*.

<sup>4</sup> The salutation to the Virgin Mary — 'Hail, Mary,' etc. See *Fifty Earliest English Wills*, 58, l. 26.

<sup>5</sup> 'To number Ave Marias on his beads.' — *Shakespeare*.

The word 'aves' is here printed 'ariez,' an obvious error of the types.

<sup>6</sup> Afterwards married to Gilbert, Lord Talbot of Godrick Castle and Blackmere.

<sup>7</sup> Here follow the words 'devant lescriv . . . [sic] de cestis,' containing some incompletely expressed idea. Perhaps the testatrix meant to say, 'before the writing of this will delivered to her.'

<sup>8</sup> See the note *supra*.

<sup>9</sup> Prayer-book for the laity, containing (*inter alia*) 'elementary instructions and prayers, as the creed, Lord's prayer, angelic salutation, and ten commandments.' Bridgett, *Our Lady's Downy*, 158. On p. 159 the passage *supra* is quoted. See also *id.* 421.

<sup>10</sup> There were various books of 'meistre histories.' A collection called 'Early Mys-

Patrum,' and the Pastorals of Saint Gregory. Item, an old psalter as far as the nocturn of 'Exultate,' glossed, another new book of the psalter glossed from the prayer 'Domine exaudi' as far as 'Omnis spiritus laudet dominum.' The said books are in French. Item £40 in money. Item, a girdle of black leather having a buckle and pendant and twelve round and plain bars of gold, which belonged to my lord and husband, her<sup>1</sup> father, the which he used much in life and afterwards had in his last sickness,<sup>2</sup> with my blessing. Item, I appoint and will that my debts be well and legally paid and my will performed, that all the rest of my goods movable and non-movable<sup>3</sup> shall remain in the hands of my executors and executrix for each to dispose of among my poor servants, and to do and appoint for the soul of my said lord and husband and my own, and for all the living and dead to whom we have been bound, according to the discretion and disposition of my executors and executrix, with the assent of my overseers. Item, I prohibit all my children and each of them, as far as I can, from disturbing my executors in any way in distributing any manner of my said goods according to my desire and will and their discretion. I appoint and will that if it should happen that any of my said children should die before me,<sup>4</sup> or before they are of age a year after my death, all the goods which I have bequeathed to them remain at the disposal of my executors like my other proper goods, to do for themselves and for me according to their good advice and discretion, except the £40 and the girdle which I have bequeathed to my daughter Isabella [which] I wish to go to the Abbess and Church of Sister Minoresses aforesaid, according as happens to my said daughter Isabella. To this my last will, appointment, and testament, I appoint, make, and establish these my executors and executrix, Sir ['Monsire'] Jerard Braybrook Jr., Sibilla Beauchamp, John de Boys, steward of my house, Sir Nicholas Miles, parson of Debden,<sup>5</sup> Sir Hugh Painter, chaplain of my free chapel in the castle of Plessy, Sir William Underwood, parson of Dedham, William Newbole, and my overseers, Sir Robert Exeter, Prior of Christ Church in London, my very dear cousin Sir ['Monsire'] Thomas Percy, Earl of Worcester, my worthy friend Sir Thomas de Stanley, clerk of Rolles.<sup>6</sup> In testimony of which my last will, appointment, bequest, and testament, I have myself written these presents and put my seal [thereto] the year, day, and place above stated.

ALIANORE &c. +

(Blank left for probate).

MELVILLE M. BIGELOW.

teries and other Latin Poems of the twelfth and thirteenth Centuries,' was edited by Thomas Wright, London, 1838.

<sup>1</sup> Isabella's.

<sup>2</sup> He was put to death by smothering; but his widow must needs veil the fact.

<sup>3</sup> See *supra*, p. 638 note 2.

<sup>4</sup> The death of her son Humphrey came within this provision.

<sup>5</sup> To which he was presented July 18, 1387, by the Duke of Gloucester, husband of the testatrix, in her right.

<sup>6</sup> Perhaps in the Chancery.

## THE BATTLE OF LONG ISLAND

"THE dilatoriness and stupidity of the enemy saved us," wrote General Charles Lee to Washington in July, 1776, immediately after the repulse of the British fleet under Sir Peter Parker in the attempt on Charleston. The same qualities in those opposed to him, combined with an almost amazing element of pure luck, saved Washington and the cause of American independence at New York less than two months later; for not often has a force on which great results depended found itself in a worse position than did the Americans then; and seldom has any force in such a position been afforded equal opportunities for escape.

The first and most striking thing that impresses one wishing to understand the strange military fiasco which took place about New York during the months of August, September, and October, 1776, is the dazzling effect on the eyes and judgment of historians of the glamour which surrounds Washington. That he should have been responsible for grave errors of military judgment which ought under any reasonable doctrine of probabilities to have ruined the American cause and deprived the world of one of its immortalities, that he should have involved his army in disaster and disgrace as the result of hesitation at a time when decision was essential, — is something not to be admitted. The mere suggestion of such things is unpatriotic; but, none the less, it seems to have been the case. At Long Island, Bunker Hill was fairly outdone; and not even "the dilatoriness and stupidity of the enemy" saved the Patriots from a disaster which in no way, moral or otherwise, could be exploited as a victory; while to chance alone was it due that the calamity, great at best, was not irretrievable and final.

The British evacuated Boston on the 16th of March. The point at which the next blow would be struck could only be surmised by those in charge of the Patriot cause, but New York naturally suggested itself. Obviously it was the strategic centre. Early in the year a movement in that direction was anticipated, and accordingly General Charles Lee was detached from the army before Boston and went by order of Washington to New York, arriving there on the 4th of February. He at once took in the difficulties of the situation. "What to do with this city," he wrote to Washington,

"I own, puzzles me. It is so encircled with deep navigable water, that whoever commands the sea must command the town." Thus the command of the sea was manifestly the key of the situation at New York; and the British held that key.

Lee, nevertheless, planned such a system of defences as seemed practicable; but, being subsequently assigned by Congress to the command of the Department of the South, he left New York on the 7th of March, leaving Stirling in temporary charge. Shortly after, Stirling was superseded by Putnam, who came under instructions from Washington to go on with the defences according to Lee's plans. On the 13th of April, Washington himself arrived, and assumed command.

Although Washington had taken it for granted that the British fleet when it sailed from Boston in March would proceed at once to New York, instead of so doing it went to Halifax, there to refit; and it was not until June 29 that the expedition arrived at Sandy Hook, inside of which it came to anchor. Landing his army on Staten Island, General Howe there awaited the arrival of additional ships and reinforcements, then shortly looked for, under command of his brother, Admiral Lord Howe. They appeared in July.

Washington then found himself in command of some 9000 so-called effectives, "2000 of whom were entirely destitute of arms." They were imperfectly organized, insufficiently equipped, largely composed of unreliable militia, without adequate artillery, and without any cavalry. Such as they were, they had absolutely no naval support. The problem before Washington was with such means to defend against a thoroughly equipped and disciplined force of twice his size, supported by a powerful fleet, a place at the absolute command of whoever controlled the sea. As the result showed, the problem did not admit of successful solution. Yet for two whole months Washington confronted it, studying it doubtless in every aspect; and not once does it seem to have occurred to him that it was insoluble, or that an attempt at its solution was fraught with excessive danger. During that time he wrote many letters and some formal reports; but in not one of them does he even suggest that the course pursued was opposed to his military judgment or based on incorrect strategic principles. He never even hints that he is taking what seems to him a dangerous military risk under a pressure of political necessity. On the contrary, even after the inevitable disaster had befallen him, he frankly wrote, "Till of late, I had no doubt in my own mind of defending this place."

Yet in this attempted defence Washington was compelled to violate, and did violate, almost every recognized principle of warfare. To defend New York it was absolutely necessary to hold the heights of Brooklyn, opposite the city; for those heights, as did Bunker Hill in the case of Boston, commanded New York within easy artillery fire. But Brooklyn was on an island, and was separated from New York by deep navigable water. Above New York, on both sides, east and west, were other wide, navigable channels, which also had to be covered. In order to protect the place, therefore, Washington had to divide his inadequate force to such a degree that, even if his enemy through their command of the sea did not, the moment active operations began, cut him completely in two, it was wholly out of the question for one portion of his army, in case of emergency, to support or assist the other portion. But again, if any successful resistance was possible, it was only possible through holding to a policy of intrenchments. The Patriot force should have been kept within the most limited and strongest lines of defence possible; and, as at Bunker Hill, it should have been prepared to resist attack in front, trusting to the incompetence of their opponents that the attack would not be made from the rear. In case the attack was from the rear, with the enemy in absolute control of the water, and free to strike when and where he pleased, the Patriot army was manifestly in imminent danger of destruction. Precipitate retreat only could save it; as, in the end, it did save it.

Under such circumstances, Washington not only divided his inadequate army, but when his enemy obliged him by attacking just where he wanted to be attacked, in full front, instead of awaiting the assault within his lines, as did Prescott at Bunker Hill, Washington actually went out to meet it, challenging the fate which befell him. And at last, even his own excellent management in the moment of disaster could not have saved the Patriot cause from irretrievable ruin and himself from hopeless failure and disgrace, had it not been combined with almost miraculous good-luck, to which the "dilatatoriness and stupidity of the enemy" most effectively contributed at the very juncture when those under him confidently wrote that Howe would not give his opponent "time to breathe, but push his successes like a winning gamester."

Though General Howe had come to anchor inside of Sandy Hook on the 29th of June and been joined there by Lord Howe and the fleet on the 1st of July, it was not until the 22d of August that active operations on Long Island began. During that long interval of over seven weeks of the best campaigning weather of



the whole year, the British army rested quietly in its summer camp on Staten Island. On the 12th of July two English ships, respectively of 40 and 20 guns, had with perfect impunity run by the defences of New York and gone up the Hudson to the Tappan Sea, where they lay in apparent perfect security, with awnings stretched, sleeping in the sunshine, until the 18th of August; a sufficient indication of how complete was the British command of the sea, and how futile were the American efforts to obstruct the navigable channels. On the 7th of August thirty transports, under convoy of three frigates, put to sea with the design of going around Long Island, and so threatening New York and the American line of retreat from the East River. Meanwhile, the two Howes were in daily communication with Governor Tryon, who was on board one of the English ships of war, and through the royalists of the mainland and Long Island, had all necessary information not only as to localities and roads, but in regard to the movements of the Patriots. They lacked neither guides nor pilots, and were plentifully supplied with provisions. Under these circumstances, with an enemy greatly superior both in numbers and in equipment in undisputed control of the sea, and actually cutting off his communications with the west bank of the Hudson, it was small matter of surprise that, as the weeks dragged on, many of Washington's ablest advisers looked on the situation with uneasiness. They feared being entrapped "on this tongue of land, where," as one of them later expressed it, "we ought never to have been."

Besides the fleet, the British commander had, by the middle of August, 30,000 men in a high state of efficiency, with a large park of artillery and a small body of cavalry; Washington had nominally 17,500 men, of whom about 14,000 were fit for duty, with a few pieces of field artillery, but no mounted force. And with such means at his command, incredible as it seems, he actually thought he could defend a land and water front of nearly thirty miles, vulnerable in front and flank and rear, besides being cut in two by a navigable channel both broad and deep; while the enemy, greatly superior in mere numbers as well as in discipline and equipment, was, through an undisputed command of the water, free to concentrate himself for a decisive blow at any point. Neither did Washington indulge in any false confidence in the efficacy of his batteries to check the enemy's vessels of war; on the contrary, as he himself wrote a whole month before the battle of Long Island, he "had long most religiously believed that a vessel with a brisk wind and strong tide cannot, unless by a chance shot, be stopped by a battery."

Meanwhile, the interior works at Brooklyn alone called for a force of at least 8000 men to hold them with any prospect of success; while the exterior lines before Flatbush required an equal number, if the enemy was to be retarded there even for a day. In other words, if Howe was, as at Bunker Hill, obliging enough to attack the position Washington had chosen full in front and by land alone, without any co-operation from the fleet, and leaving his opponents' flanks and rear quite unmolested,—even in this case more than the whole force of the Patriot army would be needed for the defence of Brooklyn alone.

At last, everything, after weeks of apparently needless procrastination, being in readiness, the Howes determined to strike, and on the 22d of August, Sir Henry Clinton, with 15,000 men, one regiment of cavalry, and forty pieces of artillery, crossed over from Staten to Long Island and landed, unopposed, at Gravesend. It was evident where the blow by land was to be looked for. Brooklyn was the enemy's military objective; or at least one of his objectives. The difficulties of his situation, not to say its impossibilities, must, it would seem, have now dawned on Washington's mind. The position could hardly have been worse. As he himself mildly put it, making no allusion to a hostile fleet operating in broad navigable waters compassing him on three sides, the problem was "to oppose an army of 30,000 experienced veterans with about one-third (10,514) the number of raw troops, and those scattered some fifteen miles apart."

Though the British landed at Gravesend on the 22d of August, it was not until the evening (nine o'clock) of the 26th, or four days later, that they moved forward on the defences of Brooklyn. Constant skirmishing had in the meantime been going on, and the Americans had thus been allowed ample time in which to make their preparations. There was no element of surprise in the enemy's advance. During the earlier stages of preparation Greene had been in charge of the Brooklyn wing of the army; but he had been taken down by a fever and was wholly unfit for duty. General Sullivan succeeded him in temporary command. All along, Washington and Greene had seen, what indeed was obvious, that with the means at their disposal, a landing of the British on Long Island could not be prevented; but, if Brooklyn was once occupied by the enemy, New York became untenable; it was the case of Dorchester Heights and Boston harbor reversed, for the British in the present case would hold the heights and the Americans the town commanded by the heights. The problem immediately involved was, therefore, the defence of Brooklyn

against an attack from the land side, in all probability supported by a simultaneous attack on its water front and the American rear. Greene had, accordingly, sought to defend Brooklyn by constructing a line of intrenchments and redoubts back of the village from Gowanus Cove on the south to Wallabout Bay on the north, presenting a front of a little less than a mile in extent, well protected by creeks and morasses on either flank, and, at its centre, about one mile and a quarter from the landing-place of the ferry to New York. From these intrenchments to Gravesend was some eight miles, while between the two, about five miles from Gravesend and three from Brooklyn, rose a difficult, heavily wooded ridge, forming a natural longitudinal barrier practically passable at three points; one close to the bay, the shore road; the second, three miles further inland, in front of Flatbush, being the direct and ordinary road between Gravesend and Brooklyn; and the third the Jamaica road, two miles further still to the east. Under these circumstances, assuming that they were resolved to try to hold New York, the course to be pursued by the Americans was obvious. As soon as the landing of the British at Gravesend was known, that is, on the 22d of August, the largest available force ought to have been concentrated under cover of the Brooklyn intrenchments, while strong infantry outposts should have been put at each of the three passes, the roads beyond being constantly watched by mounted patrols. To do this work at least 15,000 men, with adequate artillery and cavalry, would have been required, a certain mounted force being on such extended lines indispensable to safety. The force actually there was 5500 infantry, mostly militia none of whom had ever been in battle, with six pieces of light field artillery, and no cavalry whatever.

Instead of concentrating themselves within the Brooklyn intrenchments the Americans, when the English, after four days of delay, began to advance, actually went out in force to meet them on two of the roads, leaving the third, that to Jamaica, not only unprotected but not even watched. The natural result followed. Taking advantage of their great preponderance in numbers and excellent information and guidance, the British, advancing by three columns, found, to their great surprise, the Jamaica road unobstructed, — "a route we had never dreamed of," as an American officer engaged innocently wrote, — and, by means of a well considered and rigorously executed right flanking movement got in the rear of the detachments under Stirling and Sullivan, who had been either posted or hurried forward to defend the two western and more direct approaches; the practical destruction of

those detachments followed. Both commanders were captured, and more than one-third of the entire force disposable for the defence of Brooklyn was destroyed. The American loss in killed, wounded, and missing was about 1500, out of a total force engaged not probably exceeding 3500. Contemporaneous comments are sometimes the best, and it would be difficult to improve on those upon this affair shortly after jotted down by Captain William Olney of the Rhode Island regiment in Stirling's command. It covers the ground. "At the time, I did not pretend to know or examine the generalship of posting Sullivan's and Stirling's forces as they were, leaving the forts but poorly manned with sick and invalids. It must be on the supposition that the enemy would come on the direct road, and if our troops were overpowered they might retreat and defend the fort. But the enemy took a circuitous route, and where it was said Colonel — had neglected to guard, and arrived in our rear without notice. Had it been left to the British generals to make a disposition of our troops, it is a chance if they would have made it more advantageous to themselves, and but for their tardiness they might have taken our main fort. All that seemed to prevent it was a scarecrow row of palisades from the fort to low water in the cove, which Major Box had ordered set up that morning."

It is not putting it too strongly to say that Washington's position, as well as that of the American cause, was then desperate. The disaster occurred under Washington's eyes, for he found himself within the Brooklyn intrenchments, with Clinton's command at nine o'clock in the morning interposed between himself and the detachments under Sullivan and Stirling. Before two o'clock the fighting had wholly ceased. With an inadequate and demoralized command Washington then found himself isolated from the body of his army, such as it was, in New York, with a largely superior force flushed with success before him, and a fairly overwhelming naval armament threatening his flank and rear. Practically he was powerless. In other words, he had got himself and his cause into a wholly false position; and utter ruin stared him in the face. Again, luck and "the dilatoriness and stupidity of the enemy" saved him.

The course for Howe to pursue was now manifest. Six good hours of daylight remained, and, after demolishing the commands of Stirling and Sullivan, he should have followed up his success, striking at once and with all his force at Washington himself. Such was the decided opinion at the moment of the officers in command under Howe; while the body of the British army was so

flushed by victory and absolutely confident of success that it could with difficulty be prevented from an immediate assault. The experience of the next few days showed how thoroughly demoralized the Americans then were. It is true that American historians have since asserted, on what authority does not appear, that the British commander was then wise in not pressing his advantage, and that Washington "courted a storm in which he was almost sure to be victorious"; but, on the other hand, a general officer at the time in command of a portion of the Brooklyn lines described them as "unfinished in several places" and "so low that the rising ground immediately without it would have put it in the power of a man at 40 yards Distance to fire under my Horse's belly whenever he pleased." And such works as these it has since been confidently asserted could have been victoriously defended by militia, to use Washington's official language, "timid and ready to fly from their own shadows." The statement of the historian is not based on Washington as an authority.

At Bunker Hill Howe had been over-confident; at Brooklyn he was too cautious. Probably on the 27th of August, 1776, he remembered the 17th of June, 1775; and, a burnt child, he feared the fire. In any event, after lying for hours with his advance within gun-shot of Washington's lines, which his scouts approached so closely as to report that they could be carried almost instantly by assault, and which his subordinates begged leave to be allowed to attack and, it is said, fairly "stormed with rage when ordered to retire,"—after lying here for hours during a summer noon, he declared that enough had been done for one day, and drawing back, went into camp. In his official report of these operations, he stated that in his judgment the works could have been stormed, and that his soldiers were so eager for the assault "that it required repeated orders to prevail on them to desist"; but as it was apparent the opposing lines could be carried with slight loss by regular approaches, he commanded a halt. Probably, also, and not without reason, he may have expected that the British fleet would next day attack the Americans from the rear, and thus, having them between two fires with all their lines of retreat broken, a surrender would be necessary.

So far "the dilatoriness of the enemy" had saved Washington from total disaster. The element of luck next made itself felt in his favor. The British fleet was lying inside of Sandy Hook. It was impossible for a moment to suppose that the numerous ships of the line and frigates there idly anchored were not to co-operate with the army in the long-planned and carefully pre-

pared operations. They might engage the batteries on the North River, and cover a landing there in the Americans' New York rear, or they might open with their batteries on the town; or, most fatal move of all, they might work into the East River and, dividing Brooklyn from New York, cut the American army in two, and open with their batteries on Washington's Brooklyn rear. It was now the close of August, and in the region of New York the prevailing wind at that season is from the southwest. Such a wind may, indeed, almost be counted upon; and unquestionably was counted upon by the British commanders in planning their operations. A wind from the southwest would have carried the British ships directly up the East River and placed them in front of Brooklyn. Chance ordered otherwise. While General Howe was destroying the commands of Stirling and Sullivan, and threatening Washington's intrenchments, a strong northeast wind was blowing, against which, and the tide, five ships of the line, under command of Sir Peter Parker, in vain endeavored to beat up the bay. One ship of smaller size alone succeeded in working up sufficiently far to open with its guns on the wholly inadequate battery the Americans had established at Red Hook, on the western extremity of their Brooklyn lines; and the fire of even this single ship sufficed sadly to injure the breastworks and dismount some of the guns. If this was so, the effect of the broadsides of the fleet may be surmised. That exceptional northeast wind in August was for Washington a stroke of luck of the description sometimes classified as "providential."

Such are the established undisputed facts. The position into which the American leader had got himself was, from a military point of view, one of utter and manifest falseness; and it is difficult to read the accounts of the operation since given by American historians, and believe that they were gravely prepared. They amount simply to a deification of Washington,—a man who needs no deification,—based on a complete ignoring of facts. The slowness Washington apparently then evinced in appreciating the difficulties of his situation was only less remarkable than the slowness of his enemy in taking advantage of his mistakes, and the northeast wind with its heavy veil of mist which enabled him to extricate himself from them. In earlier times the poets were in the habit of attributing such coincidences to the direct interposition of the gods; and, according to Homer, when Achilles had Agenor in his grasp

"Then fiercely rushing on the daring foe,  
His lifted arm prepares the fatal blow:



But jealous of his aim Apollo shrouds  
The god-like Trojan in a veil of clouds.  
Safe from pursuit, and shut from mortal view,  
Dismiss'd with fame, the favor'd youth withdrew."

In a like spirit, the American historian, summing the whole thing up, remarks ingeniously, that while "it redounded greatly to the reputation of Washington," many "who considered the variety of risks and dangers which surrounded the camp, and the apparently fortuitous circumstances which averted them all, were disposed to attribute the safe retreat of the Patriot army to a peculiar Providence." Attention has already been called to the fact that Frederick, when such "interventions" and "Providences" occurred in his own experience, referred to them in a less figurative and more matter-of-fact way as instances of "luck" in warfare.

Washington realized the nature of the situation well enough. It was simply desperate. With between seven and eight thousand undisciplined men, beaten and demoralized at that, he was cooped up with an uncovered rear. Immediate retreat was impossible, and a successful resistance hardly to be hoped; so, like a good and vigilant commander, he was in the saddle before break of day of the 28th, going the rounds of the works and seeking to encourage his followers. The morning broke lowering and dreary, only to reveal to the Patriots the great superiority of the force opposed to them. It was a case of four to one. Fortunately, the enemy did not move. As the day advanced they did, indeed, open with their artillery, and the usual irregular fire of sharpshooters went on between the lines; but presently a drenching rain set in, by which the historians tell us the combatants were "driven into their tents," where they kept themselves until the latter part of the day. There is at this point almost a touch of humor in the narrative, and it is difficult to believe that it is one of actual warfare; yet the career of Washington and the cause of American independence hung in the balance, with an August rain the disturbing factor. But when it came to "dilatatoriness," Sir William Howe seems always to have proved himself equal to any occasion.

Presently, while it was still early in the day, the situation in Brooklyn was improved by the arrival of reinforcements under General Mifflin, consisting of three regiments considered as good as any in the army, though so reduced by sickness and other causes that they numbered altogether but 1300 men; one of those regiments, however, was Glover's of Marblehead, mostly sailors and

fishermen, and, with a wide and swift-flowing channel between him and his only possible line of retreat, Washington, as the result showed, then stood in quite as great need of men who could trim a sail and pull an oar as of those who could handle a musket or a shovel. Mifflin's command was marched at once into the weakly defended intrenchments on the left of the line, opposite Clinton.

Now one of the most extraordinary incidents of this singularly conducted campaign is said to have occurred. It sounds so like a travesty of war that it has to be told in the words of the apparently unconscious historian. A dense fog was hanging over the bay and island. A group of officers, among whom were Mifflin and Reed, Washington's adjutant-general, rode out to take a look about. As they were on the high ground at the western extremity of the lines, facing towards Staten Island, a light breeze lifted the fog, disclosing to them the British ships of war. The historian then goes on: "Some movement was apparently in agitation. The idea occurred to the reconnoitring party that the fleet was preparing, should the wind hold and the fog clear away, to come up the bay at the turn of the tide, silence the feeble batteries at Red Hook and the city, and anchor in the East River. In that case, the army on Long Island would be completely surrounded and entrapped. . . . Other ships had passed round Long Island, and were at Flushing Bay on the Sound. Those might land troops on the east side of Harlem River, and make themselves masters of King's Bridge, — that key to Manhattan Island." These facts, as military considerations, might, it would seem, for several days, if not weeks, have been obvious; but, according to the American historians, they would appear to have now for the first time dawned on the minds of the reconnoitring officers, for, "alarmed at this perilous probability, they spurred back to headquarters, to urge the immediate withdrawal of the army, [and] as this might not be acceptable advice, Reed, emboldened by his intimacy with the commander-in-chief, undertook to give it." It is curious to consider what the writer here meant by the words "this might not be acceptable advice."

And it is of such material as this that what is called history is fabricated! This story passed into all the earlier accounts of the operations on Long Island, and, though now rejected by better authorities,<sup>1</sup> is still the popular legend. The incident is said

<sup>1</sup> Bancroft. Note to Chapter V. of Epoch Fourth, containing account of the retreat from Long Island.

to have occurred on the morning of the 29th; the disaster in front of Flatbush had occurred on the 27th; and it is safe to say that not for one moment during the slow intervening hours had the direction of the wind and the movements of the British fleet been absent from the mind not only of Washington, but of every intelligent officer or man within the Brooklyn lines. Their fate hung in the balance. The reconnoitring party may have ridden down to Red Hook in the way described—probably did ride down there; but what those comprising it there saw could have suggested nothing new either to themselves or to Washington. It could only have emphasized the peril of the situation, and the necessity of immediately extricating themselves from it—if they could!

But it is just situations of this sort which bring out great qualities, and those of Washington were now revealed. He showed the *mens æqua in arduis!* With a calm presence and a cool, prescient mind, he looked the situation in the face, recognized the mistake he had made, and prepared to extricate himself from the consequences of it, if, indeed, extrication was yet possible. Up to noon of the 29th, forty-eight hours after the disaster of Flatbush, no step, it is said, had been taken looking to the evacuation of the now wholly untenable position. On the contrary, 1300 fresh men had been added to the 7500, the withdrawal of whom was already a difficult problem. But this can hardly be a correct statement of the case. It implies an absence of ordinary caution and foresight on the part of Washington and those about him which is not supposable. When, therefore, the historian proceeds to tell us that after a council of war, held somewhere about noon on the 29th, had decided to retreat across the river, Washington then sent out his orders to Heath at New York, who, during the afternoon, "collected every sloop, yacht, fishing-smack, yawl, scow, or row-boat that could be found in either water from the Battery to King's Bridge or Hell Gate,"—a distance in some cases of fifteen miles,—when the historian makes this statement, he simply evinces a lack of familiarity with the practical operation of a quartermaster's department. The thing could not be done in that time and in that way. It is an imputation on Washington's intelligence to suppose that he could have allowed himself with half of his army to be shut up in Brooklyn for days, without having transportation provided and at hand in case a retreat became necessary. The result shows that he did have it. Provision for what now ensued had evidently been made beforehand. The case for him was bad enough, but

in this respect not nearly so bad as his thick-and-thin panegyrists unconsciously make out.

On the evening of the 29th crafts of some sort necessary for the transportation of 9000 men and their munitions across the East River in a single night had been got together under the friendly cover of the fog, and were in readiness on the Brooklyn side. The men from Marblehead were then detailed for special duty, and the embarkation began. The mere statement of the case is sufficient. To transport 9000 men in twelve hours across a swift-flowing channel three-quarters of a mile wide, depending on a collection of boats, at best hastily improvised, and of every conceivable size and character, would be impossible under the eyes of a vigilant enemy immensely preponderant on land and in complete control of the water. To succeed in doing so under the most favorable circumstances would seem to demand perfect discipline and obedience in the ranks and a most orderly movement.

The patriotic historians now have the field full before them; and they certainly avail themselves of their opportunity, though not always in perfect accord among themselves as to facts. For instance, one asserts that "from about nine o'clock to nearly midnight, through wind and rain,—company by company,—sometimes grasping hands to keep companionship in the dense gloom, —speechless and silent, so that no sound should alarm the enemy, —feeling their way down the steep steps then leading to Fulton ferry, and feeling their way as they were passed into the waiting water craft, these drenched and weary men took passage for New York." This, if nothing else, is graphic. But another historian tells us that, though the Americans were towards daybreak "remarkably favored by the sudden rise of a fog which covered the East River, during the night the moon had shone brightly, and one can only wonder that the multitudinous plash of oars and the unavoidable murmur of ten thousand men embarking, with their heavy guns and stores, should not have attracted the attention of some wakeful sentinel, either on shore or on the fleet." This again is good; but the pure luck of this somewhat imaginary performance is characterized as Washington's "extraordinary skill." Here are two accounts of the state of the atmosphere on that momentous night; while a third historian tells us that, though "it was the night of the full moon," "about nine the ebb of the tide was accompanied with a heavy rain and the continued adverse wind which had raged for three days died away;" according to this authority, therefore, the night was neither dark nor one of light moonlight, but luminous. Comment seems quite unnecessary.

So also we are assured by the same authorities that the various detachments moved down to the place of embarkation "as quietly as possible and in excellent order, while Washington superintended the details;"—that they went down "speechless and silent," "sometimes grasping hands to keep companionship" is also, it has been seen, asserted. Meanwhile Washington himself told Mifflin at the time "that matters were in much confusion at the ferry"; and we get a glimpse of the nature of this "confusion" from the statement of an eye-witness who asserted that it was impossible to "get within a quarter of a mile of the ferry, the rebel crowd was so great, and they were in such trepidation that those in the rear were mounting on the shoulders and clambering over the heads of those before them."

It is not worth while to attempt to reconcile these wholly irreconcilable statements. The historians must settle it among themselves. A few things only are evident. Chief among these is the fact that, in a situation immensely trying, Washington kept his head, and inspired that confidence without which confusion would have become confounded, and all been lost. Again, the means of transportation seem to have been sufficient; the enemy was not vigilant; no inquisitive scouts harassed the lines; no patrol boats prowled the East River. In a word, the enemy, whether on land or water, afforded the Patriot army every possible facility for getting away, and the elements co-operated with the enemy; for, while that "providential fog" still hung over Long Island, concealing the movements of the Americans, the adverse wind of the previous days had died away so that the row-boats could be loaded to the gunwale, and, just at the right moment, a favoring breeze sprang up to aid the sail-boats. The potency of luck as a controlling element in warfare has rarely been more strikingly exemplified. It is even said that a negro, despatched by a Tory sympathizer at ten o'clock that night to notify the British of the movement then going on, found his way to an outpost and sought to deliver his message. Again—luck! for in this instance, at least, the result could in no way be attributed to the "prescience" of Washington. The outpost to which the negro emissary made his way was composed of Hessians, who could not understand a word the man said! And so they kept him under close guard as a suspicious character until daybreak, when at last the officer of the grand rounds appeared. It was then too late. When, a little later, an aid of Howe's, with a party of men, clambered, in consequence of this information, into the deserted works and made their way down to the Ferry landing,

the rear boats of Washington's retreating army were beyond musket shot, and nearing the New York shore.

The present paper relates merely to the operations on Long Island, and it is not necessary to follow the American army through its subsequent unfortunate experiences on Manhattan Island. From a purely military point of view, the further occupation of that island was, after the British got possession of Brooklyn Heights, not only useless, but it involved serious risk. With an enemy now in undisputed control of the surrounding waters, the place was a trap from which it was impossible to escape too soon. Greene and others advised evacuation; but Washington lingered on Manhattan Island with his now wholly demoralized army until the 15th of September, when his leisurely opponent again attacked him. Then followed the shocking affair of Kip's Bay, and the Patriots abandoned New York. Their disaster was the natural outcome of the attempt to occupy a useless position for more than two weeks after it became obviously untenable. By pure good luck, combined once more with "the dilatoriness of the enemy," Washington saved himself and the force under his command from capture.

Returning to the operations on Long Island and the errors of strategy into which both Washington and Howe there fell, it is interesting to attempt to explain the motives which actuated each. In so doing we have the benefit of that hindsight which, especially in military operations, is so vastly preferable to the foresight of even the most sagacious commanders. We have all the facts before us and see our way clearly; Washington and Howe, with only partial information, groped their way in doubt through the darkness.

In the first place what could have induced Washington, with the meagre resources both in men and material at his command, to endeavor to hold New York against such an armament as he well knew the British could then bring to bear? We now see that the attempt was not only hopeless from the start, but, in reality, there was, from a military point of view, nothing to be said in its favor. As Lee, who had in March pointed out the difficulties, subsequently wrote in September, "I would have nothing to do with the islands to which you have been clinging so pertinaciously—I would give Mr. Howe a fee-simple of them." In this conclusion,—charlatan though he was,—Lee was unquestionably right; and there can be no doubt the advice of John Jay was sound, that, without risking a battle, all the country below the Highlands should be abandoned to the British, as, under the cir-



cumstances, not capable of successful defence, and that a strictly defensive warfare should be carried on among the passes and defiles of the mountains; and he significantly and prophetically added, "I can't forbear wishing that a desire of saving a few acres may not lead us into difficulties."

The campaign of Long Island was in reality Washington's first experience of active field movement and fighting, in which he held chief command. That he profited greatly by it was subsequently apparent. He learned through his mistakes; and the mistakes of that first campaign were numerous and patent. From the 27th of August to the 15th of September the American army was almost, if not quite, at the mercy of its opponent. What then were the grounds on which Washington based his plan of operations, and what influences could have induced him to incur such extraordinary and unjustifiable risks? And, first, it is necessary to consider Washington as a military man,—to grade him, so to speak, among captains.

Although one of the most recent and popular of American historians discovers even in the New York campaign of 1776 "evidence of military genius such as has seldom been surpassed in the history of modern warfare," Washington had, in point of fact, little natural aptitude for warfare. Few even among American panegyrists will seriously claim that he was, like Hannibal, Gustavus, or Napoleon, a born general. Rather a slow man naturally, he had none of that insight which causes certain commanders in presence of an enemy—they know not why—instinctively to do the right thing at the right moment, whether in attack or defence. A man of courage and high character, compelling confidence, Washington's *forte* in military as in civil life was supreme common sense. He learned by experience; and it was in the school of experience that he made himself a safe, a competent, and a successful commander-in-chief. More he never was. Yet the curious thing about him is that his greatness, his magnanimity, and his poise always seem to assert themselves most, just when the impartial investigator is on the point of convicting him of error. The error may be there; but the man surmounts and dominates over it. That he made serious mistakes of judgment both in strategy and tactics in the New York campaign of 1776, he would later have been the last to deny. His own letters, as well as the evidence of those about him, convict him of a fatal indecision of mind in moments of crisis. And yet his sterling greatness is all the while unmistakable. He was a man, learning; and the only effect of a study of his errors, which he never sought

to deny, is to restore to him that kindly element of human nature and human weakness of which over-zealous panegyrists have done much to deprive him.

Recurring then to his attempted defence of New York, it must be remembered that in his operations about Boston only a few months before he had been most successful. Well designed and prudently conducted, they brought about full results in compelling an enemy to abandon without a battle a base of operations manifestly bad and useless for his purpose. Through these operations Washington established himself — and, as the result showed, justly established himself — in the confidence of his supporters. From Boston the theatre of operations was transferred to New York; and it is curious to observe how manifestly the Boston experiences influenced at New York the minds and actions of both Washington and Howe. The conditions were wholly different; yet both proceeded much as if they were the same.

At Boston, Washington, by securing Dorchester Heights, had made Boston Harbor untenable by the British. New York Harbor is as different from that of Boston as one harbor can well be from another; yet his whole plan of operations at New York was based on the erroneous idea that by holding Brooklyn Heights he could keep the enemy's ships out of the East River, and so defend New York; though in point of fact the place could be assailed and his flank turned on either side. Accordingly, instead of taking a large and reasonable view of the situation, and pronouncing the place indefensible, except with that command of the sea which the Americans manifestly did not have, he not only tried to defend it, but in so doing made a grave strategic mistake when he exposed himself to imminent risk of having his army cut in two by a naval operation which he had no adequate means of opposing. In doing this it cannot be claimed that he was impelled to a course his judgment did not approve by popular insistence and congressional pressure. These doubtless were great, and had their influence; but both before and after the well-nigh inevitable catastrophe, he put himself on record as believing his plan of defence reasonably practicable, and he clung to it to the last moment; while nowhere did he point out the excessive dangers it involved, enter a protest against it, or even express a preference for a radically different and safer plan. His mind was evidently influenced by his Boston experience, and by the success of Moultrie at Charleston.

Neither can it be claimed that the disaster at Flatbush was due to the illness of Greene and the incompetence of Putnam, who succeeded him in command on the eve of the engagement. Greene

relinquished the active command August 16; and it was on the 22d of August that the British landed at Gravesend. Sullivan was then acting in Greene's stead. Four days later, on the evening of the 26th, Clinton began his forward march, and on the morning of the 27th he seized the unprotected Jamaica road, and so got in the rear of Sullivan and Stirling. On the 24th Washington himself passed the day at Brooklyn, and not until his return to New York in the afternoon of that day did he appoint Putnam to take command on the Brooklyn side, at the same time giving him, as the result of his (Washington's) personal examination of the ground, specific written instructions in which he outlined the plan of operations to be pursued, especially on the point which led to disaster, — that of going out to meet the enemy with the best troops, leaving only militia in the interior works. "The militia, or the most indifferent troops," he wrote, "will do for the interior works; whilst your best men should at all hazards prevent the enemy's passing the woods and approaching your works." This, too, though Washington had himself that day observed with alarm the confusion and lack of co-operation among commands which prevailed on Long Island, and knew perfectly that there was no mounted force there to do outpost work. His idea, as that of Greene, seems to have been to inflict severe punishment on the enemy in the wooded hills between Gravesend and Brooklyn; and then to have the forces withdrawn from before the enemy, and take refuge in the Brooklyn intrenchments. But this was a hazardous game to play. To play it successfully required a skilful commander on the spot, an efficient staff, cool, well-seasoned troops, and perfect co-operation between commands; and not one of these essentials, as no one knew better than Washington, did the Americans enjoy.

Take, for instance, the matter of artillery and cavalry. To defend with effective results such an extended advance line required good outpost work, reliable courier service, and adequate, well-handled artillery. Clinton advanced with forty field-pieces: the entire American equipment consisted of six pieces, — one 5½-inch howitzer, four 6-pounders, and one 3-pounder! As respects cavalry the case was still worse; the Americans had absolutely none; and, curiously enough, that they were thus fatally deficient was again due to Washington's own act. As early as the 10th of July, Governor Trumbull of Connecticut sent a detachment of light-horse, as they were called, to New York. Some three or four hundred in number, they were a body of picked men, — as Washington wrote, "most of them, if not all, men of reputation

and property." Yet, on the score of expense, he refused to allow them to keep their horses; and, when they declined to do infantry duty, he roughly dismissed them, writing to their commander, "they can no longer be of use here, where horse cannot be brought into action, and I do not care how soon they are dismissed." Yet Long Island then was full of forage, which afterwards was either destroyed or fed the horses of the British cavalry, and so shockingly deficient was the American mounted service that on the very day when Clinton turned the American flank at Bedford, Heath, the acting quartermaster-general, was writing to Mifflin from King's Bridge, "we have not a single horse here. I have written to the General for two or three." To a military critic, the attempt to hold the outer Long Island line under such circumstances seems like madness. General Sullivan afterwards declared that he had, before being superseded by Putnam, felt very uneasy about the Bedford road, and "had paid horsemen fifty dollars for patrolling [it] by night, while I had command, as I had no foot for the purpose." The inference would seem to be that the American commanders did not at this time understand the use and necessity of mounted men in field operations. A cavalry patrol of fifty men only on the flank of the American advanced line might, and probably would, have saved the commands of Sullivan and Stirling from the disaster of August 27; and yet, a few weeks before, the four hundred Connecticut mounted men had been sent home by Washington for the reason that horse could be of no service in military operations conducted necessarily on an island!

But if it is curious to observe the influence of Bunker Hill and Dorchester Heights on the mind of Washington while trying to defend New York, it is at least as curious to notice the similar influence of Concord and Fort Moultrie on the minds of the two Howes when they planned to attack New York. The extreme of rashness had given place to a caution as extreme. Yet in his operations on Long Island, Sir William Howe made the same mistake which cost him so dear at Bunker Hill. Again, instead of attacking his enemy full in front and just where he wanted to be attacked, — driving him out of the trap in which he had got himself, — Howe's effort should have been to operate on Washington's rear, seize his lines of retreat, and "bag" him and his army. No better opportunity for so doing could have been offered, as was obvious at the time and has since frequently been pointed out. It was only necessary, while demonstrating on Washington's Long Island front, to move a sufficient force — and the force at Howe's command was ample for every purpose — by way of Long Island

Sound to Flushing Bay; and thence, as he subsequently did, cross over under cover of his ships to the mainland, and strike for King's Bridge. In the meanwhile, taking advantage of the first "brisk and favorable breeze and flowing tide," Lord Howe's fleet could have moved up the East River, destroying the American transportation, and so left Washington's army hopelessly cut in two. The plan was so obvious and so wholly practicable — Washington had laid himself so open to the fatal blow — that why the thing was not done must always remain a mystery. But probably, after all, the explanation was not far to seek, — at New York, as at Bunker Hill and at Charleston, "the dilatoriness and stupidity of the enemy saved us."

So much for the land operations of the British. It was the same on the water. On the 28th of June, a little more than a year after Bunker Hill, and just two months before Flatbush, the squadron under Sir Peter Parker was severely repulsed in its attempt on Fort Moultrie. The influence of this experience was manifest in the handling of the British ships at New York in August. The squadron of Sir Peter Parker then made part of Lord Howe's fleet; and Parker was himself in command of the ships which attempted to co-operate with General Howe on the 27th of August, and failed to work into position. While the Americans seem to have felt an inordinate degree of confidence in the efficacy of their land batteries to resist attack, the inertness and even timidity of the British naval commanders throughout the operations was most noticeable and is almost inexplicable. In them there was no indication of the great traditions of the British navy. The commanders of the British fleet hardly made their presence felt.

A careful examination of the original records and a judicial weighing of the almost equally divided public feeling — Whig and Tory — of the years 1775 and 1776, cannot but give rise to grave doubts as to whether the cause of independence would then have prevailed except for that element of luck in warfare upon which Frederick the Great in his review of his own career laid such stress. In justice it must also apparently be admitted that the errors of strategy into which Washington fell at New York in the summer of 1776 were more dangerous and less excusable than that committed by Ward in June, 1776, while, on the other hand, the supreme luck which attended the Patriots at Bunker Hill by no means followed them to Long Island. An August northeasterly storm, with its accompanying rain and veil of friendly mist, did, indeed, enable them to elude the grasp of an inert and dilatory enemy, but only after the flower of the Patriot army had

been destroyed, and what remained of it so completely demoralized that for years it did not recover a proper morale. That Washington sustained himself and retained the confidence of the army and of Congress in the face of that series of disasters for which he was so largely responsible, is extraordinary, and stands as the highest tribute which could have been paid to his character and essential military qualities. Yet, in spite of what historians have since asserted, his prestige at the time was greatly diminished and his control of the situation imperilled. All eyes turned at the moment to General Charles Lee, just returning from Charleston, surrounded by the halo of the victory which Moultrie had won; and won in Lee's despite. There was for a time no inconsiderable danger that he, the most wretched charlatan of the War of Independence, might supplant Washington in the confidence of the army. He certainly did greatly embarrass his superior and thwart his combinations. But in view of what then occurred and has since taken place, it is curious to reflect how different the whole course of history would have been had the element of pure luck entered a little differently than it did into the events of June, 1775, and August, 1776. It is not easy to imagine a state of affairs during the century now closing in which the United States might have continued far into it to be what the Dominion of Canada now is, and from which the career and memory of Washington would have been obliterated.

CHARLES FRANCIS ADAMS.



## PRESIDENT WITHERSPOON IN THE AMERICAN REVOLUTION

ALTHOUGH John Witherspoon did not come to America until the year 1768, — long after he had himself passed the middle line of human life, — yet so quickly did he then enter into the spirit of American society, so perfectly did he identify himself with its nobler moods of discontent and aspiration, so powerfully did he contribute by speech and act to the right development of this new nation out of the old cluster of dispersed and dependent communities, that it would be altogether futile to attempt to frame a just account of the great intellectual movements of our Revolution without taking some note of the part played in it by this eloquent, wise, and efficient Scotsman — at once teacher, preacher, politician, law-maker, and philosopher, upon the whole not undeserving of the praise which has been bestowed upon him as “one of the great men of the age and of the world.”<sup>1</sup>

Born in 1722, in the parish of Yester, fourteen miles east of Edinburgh, — a parish of which his father was minister, — he was able upon his mother's side to trace his lineage, through an unbroken line of Presbyterian ministers, back to John Knox. That such a man should ever, in any country, come to lend his support to a system of rather bold conduct respecting royal personages in general, was hardly a thing to shock or surprise any single drop of blood in his body. At the age of twenty, he was graduated from the University of Edinburgh, where he had for associates Hugh Blair, James Robertson, and John Erskine. At the age of twenty-two, he became minister of the parish of Beith in the west of Scotland. At the age of thirty-four, he became pastor of the Low Church in Paisley. At the age of forty-six, after having declined calls to Presbyterian congregations in Dundee, Dublin, and Rotterdam, he accepted an invitation to the presidency of the College of New Jersey — an invitation which he had already declined two years before. At the time of his removal to America, therefore, he had achieved distinction as a preacher and an ecclesiastical leader. Even as an author, also,

<sup>1</sup> Sprague, *Annals*, etc., III. 289.

he had become well known, his chief publications, at that time, being *An Essay on Justification*; *A Practical Treatise on Regeneration*; *A Serious Enquiry into the Nature and Effects of the Stage*; a prose satire, called *Ecclesiastical Characteristics*; besides several volumes of sermons, and a collection of miscellaneous writings in three volumes, entitled *Essays on Important Subjects*.<sup>1</sup>

His advent to the college over which he was to preside was like that of a prince coming to his throne. From the moment of his landing in Philadelphia until that of his arrival in Princeton, his movements were attended by every circumstance that could manifest affection and homage; and on the evening of the day on which he made his entry into what was thenceforward to be his home, "the college edifice was brilliantly illuminated; and not only the whole village, but the adjacent country, and even the province at large, shared in the joy of the occasion."<sup>2</sup> It is pleasant to know that in the six-and-twenty years of public service that then lay before him in America, the person of whom so much was expected, not only did not disappoint, but by far exceeded, the high hopes that had thus been set upon him. For once in this world, as it turned out, a man of extraordinary force, versatility, and charm had found the place exactly suited to give full swing and scope to every element of power within him.

He seems to have come at the right moment, to the right spot, in the right way. Being perhaps equally apt for thought and for action, and having quite remarkable gifts as preacher, debater, conversationist, politician, and man of affairs, happily he found himself, in the fulness of his ripened powers, in a station of great dignity and prominence, near the centre of the new national life of America, in the midst of a kindred people just rousing themselves with fierce young energy to the tasks and risks of a stupendous crisis in their history. Thenceforth, whatsoever John Witherspoon had it in him to do, in things sacred or secular, in life academic or practical, in the pulpit, in the provincial convention, in the Continental Congress, for the shaping, in war and

<sup>1</sup> The most of these publications, together with his later writings, are to be found in his collected *Works*, of which two editions have appeared: the one in four volumes, Philadelphia, 1800-1801; the other in nine volumes, Edinburgh, 1804-1805. The latter is the edition used by me. For biographical sketches of Witherspoon, the reader is referred to these editions of his *Works*; also, to the sermon preached at his funeral by John Rodgers, with a valuable appendix by Samuel Stanhope Smith; to J. Sanderson, *The Signers of the Declaration of Independence*, V. 99-186; to Sprague, *Annals*, etc., III. 288-300. The article on Witherspoon, in *Appleton's Cyclopaedia of American Biography*, VI. 584, 585, is worth attention.

<sup>2</sup> Sprague, *Annals*, etc., III. 292.

peace, of the thought and character and destiny of this primitive, passionate, indomitable people, he then had the opportunity to do. That opportunity, so precious and so rare in the experience of men, he did not fail to use to the utmost.

Even in the exterior personal gifts which make for influence, he was not lacking. It was said of him that, with the exception of Washington, he had more of the quality called presence than, perhaps, any other man of his time in America. He was, moreover, kindly and companionable in private intercourse, and fascinated men by talk sparkling with anecdote, epigram, and repartee.

In the due order of things, his earliest appearance before the public was in the pulpit, which, to the very end of his career, continued to be the true seat and organ of his best activity and influence. Having the gift of easily remembering whatever he wrote, and of speaking naturally what he thus remembered, he was able to give to his sermons the double attraction of premeditated and of extemporaneous speech; and both for the matter and the manner of discourse, he soon took rank here as one of the foremost preachers of his time. As a contemporary of his has testified: "President Witherspoon's popularity as a preacher was great. The knowledge that he was to conduct a public service, usually filled the largest churches in our cities and populous towns, and he never failed to command the profound attention of his audience."<sup>1</sup> Notwithstanding the prodigious variety of those public and private engagements which were soon laid upon him, he maintained to the very end the supremacy of his sacred calling, and never, either by dress, or speech, or conduct, permitted his career as a civilian even to seem to involve any lapse or suspension of his character as a clergyman.

As the call that had brought him to America was the call to preside over the College of New Jersey, its interests very properly had the first claim upon his attention; and, before he had been long in charge of them, it became evident that, through him, the college was about to enter upon a new and a larger life. He addressed himself, first of all, to that need which is the primary, classic, and perennial need of every college fit to exist at all, — the need of money; and the extraordinary success he had therein was due partly to his own extraordinary energy and tact, and partly to the sheer confidence of the public in anything for which he chose to concern himself. He also brought about an enlargement of the curriculum by the introduction of new courses, particularly in Hebrew and in French; and through his own brilliant example

<sup>1</sup> Ashbel Green, in Sprague, *Annals*, etc., III. 299.

as a lecturer on eloquence, history, philosophy, and divinity, he encouraged methods of instruction far more manly, vital, and stimulating than those previously in vogue there. Finally, his fame as a divine, and soon, also, as a statesman and a patriot, continually added to the reputation of the college, and attracted to it during his time some of the brightest and noblest of American youths. Perhaps John Witherspoon was the first man among us to illustrate in a high degree the possibilities for influence to be found in this very modern and peculiar function of an American college president.

Before many years, also, as the struggle with the British ministry took on more and more its tragic aspect, Witherspoon's labors as preacher and as college officer began to be overlaid by his labors as a political writer and a statesman. It has been well said of him that "he became an American the moment he landed on our shores";<sup>1</sup> and, having quickly mastered the questions in dispute, he showed from the outset a rational, temperate, but unflinching sympathy with the rising spirit of American opposition. By the spring of the year 1776, it was no longer possible for him to hold back from more direct employment in the Revolution; and he then began his political career by taking his place as a member of the convention for framing the first constitution for New Jersey.<sup>2</sup> His service in that body gave a new *éclat* to his reputation, and great access to the public confidence in him; and, on the 21st of June, 1776, he received promotion by being transferred from the convention of New Jersey to the Continental Congress, in which body he took his seat in time to give his voice and his vote in favor of the Declaration of Independence.

Thus, at last, was John Witherspoon brought as an active force into the highest sphere of American statesmanship, and at a period of supreme opportunity in our affairs. In that sphere he remained and wrought, with but a single brief interval, until the virtual close of the Revolution. From the beginning, he took and held the foremost rank among his associates. In the mere erudition required for statesmanship, especially at such a crisis, probably few of them were so well equipped as he. This, perhaps, was to have been expected, in view of his previous personal history. They, however, who had supposed that this great academic personage—this renowned divine and philosopher—would in Congress prove himself to be a mere amateur in statesmanship, a doctrinaire and

<sup>1</sup> Sanderson, *The Signers*, etc., V. 115.

<sup>2</sup> Poore, *The Federal and State Constitutions*, II. 1310-1314.

a dreamer, were permitted to enjoy a great surprise. His long training in ecclesiastical politics in Scotland had left to him few things to learn as regards the handling of secular politics in America: he was familiar with the usages of legislative bodies, he had consummate skill in debate, he knew how to influence men to think and act with himself. Throughout all those years in which there were in Congress advocates for an imbecile military policy, for financial shuffling and dishonor, even for the annihilation of all genuine national life, the wit, the wisdom, the moral force of this shrewd Scotsman were to be found on the side of wholesome measures,—an assured union of the insurgent states; more power at the centre of government; terms of enlistment long enough to make an army worth having after it had become an army; the management of the public finances on the only principles that have ever proved sound or profitable in the conduct of any business public or private.<sup>1</sup> Moreover, it became soon apparent that, in his view, the chief duty of a congressman was not to talk, but to work. At the sessions of Congress, no member was more constant in attendance; in committees, no one wrought harder, or had harder tasks entrusted to him.<sup>2</sup>

The powerful influence which, through his published writings, Witherspoon exerted upon the course of Revolutionary thought, may be traced in the very few sermons of his which touch upon the political problems of that time, in various congressional papers, and especially in the numerous essays, long or short, serious or mirthful, which he gave to the press between the years 1775 and 1783, and commonly without his name.

His most memorable sermon during this period was that preached by him at Princeton on the 17th of May, 1776, being the general fast appointed by Congress throughout the United Colonies,—an opportunity for solemn delay and for reflection before that great step should be taken which could not be taken back. Witherspoon's discourse bore an imposing title, "The Dominion of Providence over the Passions of Men,"<sup>3</sup> and contained a calm and very striking statement of his reasons for concurring in the American demand for the control by Americans of their own

<sup>1</sup> For example, see his speeches in Congress "On the Confederation," *Works*, IX, 135-141; "On a Motion for Paying the Interest of Loan-Office Certificates," *ibid.*, 117-124; "On the Finances," *ibid.*, 125-134; also his remarkable "Essay on Money," *ibid.*, 9-25.

<sup>2</sup> A fairly good idea of the nature and value of Witherspoon's services as a member of the Congress from 1776 to 1782, may be gathered from Sanderson, *The Signers*, etc., V. 116-157.

<sup>3</sup> *Works*, V. 176-216.

affairs. It was much read on both sides of the Atlantic; and at Glasgow it was sent forth embellished with notes of dissent and indignation wherein the reverend author was called a rebel and a traitor.<sup>1</sup> To the American edition of the sermon, Witherspoon added an "Address to the Natives of Scotland residing in America,"<sup>2</sup>—an effective and a much-needed treatment of that series of events, in both countries, which had resulted in so extensive an alienation of American Scotsmen from the cause of American self-government.

As a writer of political and miscellaneous essays, commonly published in the newspapers, it is probable that Witherspoon's activity was far greater than can now be ascertained; but his hand can be traced with certainty in a large group of keen and sprightly productions of that sort,— "Reflections on the Present State of Public Affairs and on the Duty and Interest of America in this Important Crisis,"<sup>3</sup> "Thoughts on American Liberty,"<sup>4</sup> "On the Controversy about Independence,"<sup>5</sup> "On Conducting the American Controversy,"<sup>6</sup> "Aristides,"<sup>7</sup> "On the Contest between Great Britain and America,"<sup>8</sup> "On the Affairs of the United States,"<sup>9</sup> "Observations on the Improvement of America,"<sup>10</sup> and a series of periodical papers called "The Druid."<sup>11</sup> His gift for personal and political satire is shown in "The Humble and Earnest Supplication of J. Rivington, Printer and Bookseller in New York,"<sup>12</sup> and "Recantation of Benjamin Towne."<sup>13</sup> By far the most masterly secular writing of Witherspoon's is his "Essay on Money as a Medium of Commerce, with Remarks on the Advantages and Disadvantages of Paper admitted into General Circulation,"<sup>14</sup> principally made up of portions of speeches delivered by him in Congress, and conveying much invaluable and unfamiliar truth to the American people, then, as so often since then, mired in the bog of financial fallacies and impostures.

Of all these writings of Witherspoon, dealing in grave or playful fashion with Revolutionary themes, the chief note is that of a virile mind, well-balanced, well-trained, and holding itself steadily to its own independent conclusions,—in short, of enlightened and imperturbable common-sense, speaking out in a form always

<sup>1</sup> Sprague, *Annals*, etc., III. 293, 294.

<sup>2</sup> *Works*, V. 217-236.

<sup>3</sup> *Ibid.*, IX. 66-72.

<sup>4</sup> *Ibid.*, 73-77.

<sup>5</sup> *Ibid.*, 78-82.

<sup>6</sup> *Ibid.*, 83-87.

<sup>7</sup> *Ibid.*, 192-198; also, Albert H. Smyth, *The Philadelphia Magazines*, etc., 56, 57.

<sup>8</sup> *Works*, IX. 9-65.

<sup>9</sup> *Ibid.*, 88-98.

<sup>10</sup> *Ibid.*, 166-170.

<sup>11</sup> *Ibid.*, 171-177.

<sup>12</sup> *Ibid.*, 178, 179.

<sup>13</sup> *Ibid.*, 224-291.

<sup>14</sup> *Ibid.*, 180-191.



temperate and lucid, often terse and epigrammatic. "There is not a single instance in history," says he, "in which civil liberty was lost, and religious liberty preserved entire. If, therefore, we yield up our temporal property, we at the same time deliver the conscience into bondage."<sup>1</sup> As to the ministers, Parliament, and people of Great Britain, "I do not refuse submission to their unjust claims because they are corrupt or profligate, although probably many of them are so, but because they are men, and therefore liable to all the selfish bias inseparable from human nature; . . . because they are separated from us, independent of us, and have an interest in opposing us."<sup>2</sup> "It has been my opinion from the beginning that we did not carry our reasoning fully home when we complained of an arbitrary prince, or of the insolence, cruelty, and obstinacy of Lord North, Lord Bute, or Lord Mansfield. What we have to fear, and what we have to grapple with, is the ignorance, prejudice, partiality, and injustice of human nature."<sup>3</sup> "The question then is: Shall we make resistance with the greatest force,—as rebel subjects of a government which we acknowledge, or as independent states against an usurped power which we detest and abhor?"<sup>4</sup> "Is there a probable prospect of reconciliation on constitutional principles? What are these constitutional principles? Will anybody show that Great Britain can be sufficiently sure of our dependence, and yet we sure of our liberties?"<sup>5</sup> "It is proper to observe that the British settlements have been improved in a proportion far beyond the settlements of other European nations. To what can this be ascribed? Not to the climate, for they are of all climates; not to the people, for they are a mixture of all nations. It must, therefore, be resolved singly into the degree of British liberty which they brought from home, and which pervaded more or less their several constitutions."<sup>6</sup> "Can any person of a liberal mind wish that these great and growing countries should be brought back to a state of subjection to a distant power? And can any man deny that, if they had yielded to the claims of the British Parliament, they would have been no better than a parcel of tributary states, ruled by lordly tyrants, and exhausted by unfeeling pensioners, under the commission of one too distant to hear the cry of oppression, and surrounded by those who had an interest in deceiving him?"<sup>7</sup> "It ought, therefore, in my opinion, to meet with the cordial approbation of every impartial person,

<sup>1</sup> *Works*, V. 203.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, IX. 80.

<sup>4</sup> *Ibid.*, 92.

<sup>5</sup> *Ibid.*, 97.

<sup>6</sup> *Ibid.*, V. 223.

<sup>7</sup> *Ibid.*, 224.

as I am confident it will of posterity, that they have united for common defence, and resolved that they will be both free and independent, because they cannot be the one without the other."<sup>1</sup> As to American independence, "I mean to shew — 1. That it was necessary. 2. That it will be honorable and profitable. And, 3. That in all probability it will be no injury, but a real advantage, to the island of Great Britain."<sup>2</sup>

Of this newly born and newly announced nation, thus starting out in life with a very serious war on its infant hands, the direst need was, not of men to do the fighting, but of money to sustain the men while they were fighting; and in the way of all this stood, not only the organic impotence of the general government, but the ignorant, false, and reckless notions as to money and as to the relation of government to money, which these people had brought over with them from their colonial stage, and which, in fact, they had long been putting into practice to their own incalculable loss and shame. Under such circumstances, what greater service to the American cause could have been rendered by a man like Witherspoon, than by exposing, as he did, the financial sophistries of Revolutionary demagogues and blatherskites, and by putting into pithy, lucid, and fearless words the essential and immutable truths as to what is possible and desirable in public finance? "No paper of any kind is, properly speaking, money. It ought never to be made a legal tender. It ought not to be forced upon anybody, because it cannot be forced upon everybody."<sup>3</sup> "The cry of the scarcity of money is generally putting the effect for the cause. No business can be done, say some, because money is scarce. It may be said, with more truth, money is scarce because little business is done. Yet their influence, like that of many other causes and effects, is reciprocal."<sup>4</sup> "Too much money may be emitted upon loan; but to emit money in any other way than upon loan, is to do all evil and no good."<sup>5</sup> "The excessive quantity of paper emitted by the different states of America, will probably be a loss to the whole. They cannot, however, take advantage of one another in that way. That state which emits most will lose most, and *vice versa*."<sup>6</sup> "Those who refuse doubtful paper, and thereby disgrace it, or prevent its circulation, are not enemies, but friends, to their country."<sup>7</sup>

Happy was it for us, that this clear-headed thinker, this expert in the art of popular exposition, was in full sympathy with those deep human currents of patriotic thought and feeling which then

<sup>1</sup> *Works*, V. 224.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, IX. 63.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, 64.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

swept towards an independent national life in this land. Happy was it for us, also, that while he was capable beyond most men of seeing the historic and cosmopolitan significance of the movement for American independence, he had the moral greatness to risk even his own great favor with the American people, by telling them that the acquisition of independence was not to be the end of their troubles, but rather, in some sense, the beginning of them; since greater perils than those brought in by Red Coats and Hessians were then to meet them, in the form of shallow and anarchical politics, corruption among voters, unscrupulous partisanship, new and hitherto unimagined forms of demagogism, and the boisterous incompetence of men entrusted with power in the regulation and guidance of the state. He who declared that the American Revolution would be "an important era in the history of mankind,"<sup>1</sup> also said: "I am much mistaken if the time is not just at hand when there shall be greater need than ever in America for the most accurate discussion of the principles of society, the rights of nations, and the policy of states;" and that only by making a people "virtuous," can they be made "invincible."<sup>2</sup>

MOSES COIT TYLER.

<sup>1</sup> *Works*, V. 222.

<sup>2</sup> *Ibid.*, IX. 231.

## THE FIRST NATIONAL NOMINATING CONVENTION

THE Anti-masonic convention which met in Baltimore in 1831 has been commonly set down as the first national nominating convention. Yet there seems sufficient reason for the assertion that the conference of Federalists, which in September, 1812, nominated DeWitt Clinton for the presidency, presents many if not all of the characteristics of a national nominating convention. Very little has been written about this conference, most writers passing it over with the briefest mention. Viewed with relation to practical results it was of slight consequence, and for this reason it has been neglected, but as a step in the development of the present method of bringing forward candidates for the presidency the Federalist conference of 1812 is of much importance.

Mr. Madison's war policy made him unpopular with a portion of the Republican party, and especially with the New York Republicans. He was nominated without open opposition by a congressional caucus, but the Republican members of the New York legislature determined to defeat the election if possible. To this end a caucus of the Republican members of the legislature nominated DeWitt Clinton. As a sort of apology for this unusual method of nomination the committee of correspondence, which was appointed in New York to further Mr. Clinton's interests, in urging the co-operation of the other states pointed out the grave dangers attending caucus nominations at the seat of the national government.

The Federalists were opposed to the war, but despairing of defeating Madison with a man distinctively of their own party determined, at the conference which is the subject of this paper, to support Clinton, who was opposed to the war as conducted by Madison. The Federalists resolved that the latter must by all means be defeated. Clinton, although previously nominated by the New York Republicans, came more and more, as the campaign wore on, to be regarded as the Federalist candidate. The presidential contest developed into a contest between the war and peace parties, and Clinton became identified with the latter to his own detriment politically, for with the campaign of 1812 he passed out of importance in national politics.

So far as is known no report of the proceedings of this conference was ever printed, and the newspapers of the period, which have been carefully searched for the purpose, contain very little trustworthy information regarding it. The proceedings were conducted as privately as possible, so that what little news the papers contain relative to the conference is more or less conjectural. Enough is known from other sources, however, for the purpose of this paper, which is to establish its characteristics as a national nominating convention.

The most important statement regarding the matter is that made by one of the delegates, William Sullivan, of Massachusetts. In his *Familiar Letters* (1834) he gives a brief account of the conference. In the subsequent edition of that book (*Public Men of the Revolution*, 1847) appears for the first time, in a footnote<sup>1</sup> inserted by his son, John T. S. Sullivan, William Sullivan's account of the origin of the conference, related by his son *memoriter*. "Soon after the war had been declared," he said, "I chanced to be at Saratoga Springs, where I met with the Hon. Calvin Goddard, of Norwich, Ct., and with Hon. Jon. Dwight, of Springfield, Mass. Gov. Griswold, of Connecticut, was also at the hotel, but confined to his chamber. It was the habit of these two gentlemen and myself, to pay the Governor a daily visit, and when he announced himself too ill to receive us, we strolled into the neighboring woods, to talk over the state of the Union, respecting the welfare and durability of which, we entertained serious and painful fears. On one of these excursions, it was concluded, that a convention should be convened at New York during the following September at which as many states should be represented as could be induced to send delegates. . . . The convention met at New York, in September, and eleven states were represented by seventy delegates. The convention, during two days, had been unable to come to any determination, and on the third day were about dissolving without any fixed plan of operation. Hon. Rufus King had pronounced the most impassioned invective against Clinton, and was so excited during his address, that his knees trembled under him.<sup>2</sup> Gouverneur Morris doubted much the expediency of the measure, and was seconded in these doubts by Theo. Sedgwick as well as by Judge Hopkinson. . . . It was approaching the hour and nothing had been de-

<sup>1</sup> Pp. 350, 351.

<sup>2</sup> Rufus King attended the conference reluctantly. The fourth volume of his *Writings*, to appear shortly, will contain some hitherto unpublished letters respecting his action. — *Letter of Dr. Charles R. King*.

terminated, when Mr. Otis arose, apparently much embarrassed, holding his hat in his hand, and seeming as if he were almost sorry he had arisen. Soon he warmed with his subject, his hat fell from his hand, and he poured forth a strain of eloquence that chained all present to their seats, and when at a late hour, the vote was taken it was almost unanimously resolved to support Clinton."

Comparing now the conference thus described with the present nominating convention, let us see what reasons there are for believing it to have been the first national nominating convention.

In the nominating convention of to-day all the states are represented by delegates elected by their party in their respective states. At the convention in question eleven states were represented by seventy delegates. Nearly every state in which the Federalists were strong enough to make their vote a factor in the election sent delegates, and all the states were asked to send them, so that so far as the party was concerned the Federalists may be said to have had a national representation at the conference. As to the method by which the delegates were chosen the records are too incomplete to admit of the assertion that they were in all instances duly elected. That they were elected in New York seems evident from letters of John Jay and Gouverneur Morris on the subject of the convention. Morris's letter to Jay, printed with the date September 11, 1812 (probably it should be August 11), implies that the delegates from New York were to be chosen by a state convention, the members of which had been chosen by the party in the counties. From Jay's reply it appears likely that the arrangements were to be made by the presidents of the state conventions.<sup>1</sup>

To the convention at New York, Vermont sent two delegates, New Hampshire two, Massachusetts eight, Rhode Island three, New York eighteen, Connecticut six, New Jersey twelve, Pennsylvania twelve, Delaware two, Maryland three, and South Carolina four. It will be seen that some of the smaller states sent more delegates than their larger sister states. Evidently no rules as to the number of delegates from each state were laid down by the party. At the election all the New England states with the exception of Vermont voted for Clinton. The votes of New York, New Jersey, Delaware, Tennessee, and Louisiana, were likewise cast for him, making eighty-nine in all. Madison's majority was only eighteen votes in the electoral colleges.

The analogy between this conference and the present national

<sup>1</sup> Jay's *Works*, IV. 362, 363; Sparks's *Morris*, III. 274.



nominating convention is then practically complete. Delegates of a distinctive political party, elected in some instances, perhaps in all, by their party in their respective states, met for the purpose of nominating a candidate for the presidency. They nominated such a candidate; their party conducted a "campaign" in his behalf and cast their votes for him at the election. The facts concerning this conference seem sufficient to warrant the assertion that this was the first national nominating convention.

The *National Intelligencer* made the following statement of the proceedings: ". . . we now learn that the resolutions of most importance were: First, that under the present circumstances it would be unwise to take up a man notoriously of their own party. Second, that they would support the candidate of the two already mentioned whose success would best promote the object of their party. Third, that they would not now make a selection of either as their candidate. In the incidental discussion to which these points gave occasion, Messrs. Otis, Gouverneur Morris, and we believe R. Goodloe Harper gave a decided preference to Mr. Clinton; and a meeting between this gentleman and certain members of the caucus, of whom Gouverneur Morris was one, was had; and in this meeting Mr. Clinton declared that all political connections between himself and the Democratic party in the United States had ceased and would not be renewed." This piece of news called forth an open letter from Mr. Otis in which he declared that the account of the proceedings was false and that no communication had been held with Mr. Clinton nor had he made any statement to the convention.

JOHN S. MURDOCK.

## DOCUMENTS

[Under this head it is proposed to print in each issue a few documents of historical importance, hitherto unprinted. It is intended that the documents shall be printed with verbal and literal exactness, and that an exact statement be made of the present place of deposit of the document and, in the case of archives and libraries, of the volume and page or catalogue number by which the document is designated. Contributions of important documents, thus authenticated, will be welcomed.]

### *I. Draft of an Address of the Continental Congress to the People of the United States, 1776.*

THIS Address to the Inhabitants of the United Colonies is one of the way-marks on the road to independence, although it has not till now had attention drawn to it. The movement that gave rise to its preparation was started by James Wilson, who shared with Dickinson the leadership of the conservative element in Pennsylvania and in Congress. On the 9th of January, 1776, — when *Common Sense* had just made its appearance, — Wilson proposed that Congress make some answer to the recently delivered speech of the King in which the rebellious colonists were charged with aiming at independence, (*Diary of Richard Smith*, January 9.) He doubtless thought that an address to the people, telling what Congress had done and what it had in contemplation, would tend to mould opinion, particularly in Pennsylvania, where the extremists were carrying things with a high hand, and that it would serve to inspire wavering minds with enthusiasm for the cause.

Wilson had a strong following in Congress, but, mainly through the exertions of the New England delegates, led by Samuel Adams, he failed to carry his point on that day. Two weeks later, however, he was successful, and the predominance of the conservative element in Congress is shown by the election, on January 24, of Dickinson, Wilson, Hooper, Duane, and Alexander as the committee to draw up the Address. Richard Smith tells us (*Diary*, January 24) that debate on the motion to elect this committee lasted the entire day and that they were instructed to draft just such an address as is given below. "Much," adds he, "was said about Independence and the Mode and Propriety of stating

our Dependence on the King." The committee made their report to Congress on February 13, and it is entirely in the handwriting of Wilson. The Journal of Congress states that it was then tabled; and it was never again brought forward for consideration. Its spirit, in spite of the not uncertain ring of the last paragraph, was too tame to meet with general approval.

That the majority in Congress was able to bring about the election of the conservative committee just mentioned, indicates the strength at that time of those opposed to a declaration of independence. Not less interesting is the fact that the aggressive minority, favoring independence, was able, after unsuccessfully opposing the election of the committee, to win over within three weeks sufficient votes to prevent the consideration and the adoption of the Address. While Congress was not yet ready to decide in favor of independence, it was, however, unwilling to adopt any measure that might stand in the way of so doing when the opportunity should arrive. To publish this Address just as the ports were about being opened to trade and when the equipment of privateers was soon to be authorized, would have been inconsistent in the extreme, and as it could serve no good purpose, it was suppressed.

Wilson believed, with many others, that, having no instructions to favor independence, he had to do his best to steer a middle course. The importance attached to instructions is exemplified in his address to the citizens of Pennsylvania, published in the *Pennsylvania Packet* of October 17, 1780. He maintains that he was not an enemy to independence, but that he "early foresaw it could not but be the ultimate end. When the measure began to be an object of contemplation in Congress, the Delegates of Pennsylvania were expressly restricted from consenting to it; my uniform language in Congress was that I never would vote for it contrary to my instructions: I went farther, and declared, that I never would vote for it without your authority; and was I to be blamed? Should this act have been the act of four or five individuals? Or should it have been yours? It would have been the highest presumption in your Delegates to have taken a step of such immense importance without your sanction." He adds that, when the conference of committees on June 24 changed the instructions received from the Assembly, he spoke and voted for independence, and he rightfully states that his voice was necessary to carry the vote of Pennsylvania in favor of independence.

The importance of the steps in the preparation of this Address lies chiefly in showing how the more radical spirits in Congress by

sheer aggressiveness beat down their opponents and won converts to their views.

HERBERT FRIEDENWALD.

[Reports of Committees on Increasing Powers of Congress, Recommendations, Fasts, &c. N<sup>o</sup> 24. pp. 219-232, 217.]

To the Inhabitants of the Colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the Counties of New Castle Kent and Sussex on Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, from their Delegates in Congress

Friends and Countrymen

History, we believe, cannot furnish an Example of a Trust, higher and more important than that, which we have received from your Hands. It comprehends in it every Thing that can rouse the Attention and interest the Passion of a People, who will not reflect Disgrace upon their Ancestors, nor degrade themselves, nor transmit Infamy to their Descendants. It is committed to us at a Time when every Thing dear and valuable to *such* a People is in imminent Danger. This Danger arises from those, whom we have been accustomed to consider as our Friends; who really were so, while they continued friendly to themselves; and who will again be so, whenever they shall return to a just sense of their own Interests. The Calamities, which threaten us, would be attended with the total Loss of those Constitutions, formed upon the venerable Model of British Liberty, which have been long our Pride and Felicity. To avert those *Calamities* we are under the disagreeable Necessity of making temporary Deviations from those *Constitutions*.

Such is the Trust reposed in us. Much does it import you and us, that it be executed with Skill and with Fidelity. That we have discharged it with Fidelity, we enjoy the Testimony of a good Conscience. How far we have discharged it with Skill must be determined by you, who are our Principals and Judges, to whom we esteem it our Duty to render an Account of our Conduct. To enable you to judge of it, as we would wish you to do, it is necessary that you should be made acquainted with the *Situation*, in which your Affairs have been placed; the *Principles*, on which we have acted; and the *Ends*, which we have kept and still keep in View.

*That all Power was originally in the People — that all the Powers of Government are derived from them — that all Power, which they have not disposed of, still continues theirs — are Maxims of the English Constitution, which, we presume, will not be disputed. The Share of Power, which the King derives from the People, or, in other Words, the Prerogative of the Crown, is well known and precisely ascertained: It is the same in Great*

*Britain* and in the Colonies. The Share of Power, which the House of Commons derives from the People, is likewise well known. The Manner in which it is conveyed is by Election. But the House of Commons is not elected by the Colonists; and, therefore, from *them* that Body can derive no Authority.

Besides; the Powers, which the House of Commons receives from its Constituents, are entrusted by the Colonies to their Assemblies in the several Provinces. Those Assemblies have Authority to propose and assent to Laws for the Government of their Electors, in the same Manner as the House of Commons has Authority to propose and assent to Laws for the Government of the Inhabitants of *Great Britain*. Now the same collective Body cannot delegate the same Powers to distinct representative Bodies. The undeniable Result is, that the *House of Commons* neither has nor can have any Power derived from the *Inhabitants of these Colonies*.

In the Instance of imposing *Taxes*, this Doctrine is clear and familiar: It is true and just in every *other* Instance. If it would be incongruous and absurd, that the same Property should be liable to be taxed by two Bodies independent of each other; would less Incongruity and Absurdity ensue, if the same Offence were to be subjected to different and perhaps inconsistent Punishments? Suppose the Punishment directed by the Laws of one Body to be Death, and that directed by those of the other Body to be Banishment for Life; how could both Punishments be inflicted?

Though the Crown possesses the same Prerogative over the Colonies, which it possesses over the Inhabitants of *Great Britain*: Though the Colonists delegate to their Assemblies the same Powers, which our Fellow-Subjects in *Britain* delegate to the House of Commons: Yet by some inexplicable Mystery in Politics, which is the Foundation of the odious System that we have so much Reason to deplore, *additional* Powers over you are ascribed to the Crown, as a Branch of the British Legislature: And the House of Commons — *a Body which acts Solely by derivative Authority* — is supposed entitled to exert over you an Authority, which *you* cannot give, and which *it* cannot receive.

The Sentence of universal Slavery gone forth against you is; *that the British Parliament have Power to Make Laws, WITHOUT YOUR CONSENT, binding you in ALL Cases whatever*. Your Fortunes — your Liberties — your Reputations — your Lives — every Thing that can render you and your Posterity happy — all are the Objects of the Laws: All must be enjoyed, impaired or destroyed as the Laws direct. And are you the Wretches, who have Nothing that you *can* or *ought* to call *your own*? Were all the rich Blessings of Nature — all the Bounties of indulgent Providence — poured upon you, not for your own Use; but for the Use of those, upon whom neither Nature nor Providence hath bestowed Qualities or Advantages superior to yours?

From this Root of Bitterness numerous are the Branches of Oppression that have sprung. Your most undoubted and highest-priz'd Rights have been invaded. Heavy and unnecessary Burthens have been imposed on

you: Your Interests have been neglected, and sometimes wantonly sacrificed to the Interests, and even to the Caprice of others. When you felt — for your Enemies have not yet made any Laws to divest you of feeling — Uneasiness under your Greivances, and expressed it in the natural Tone of Complaint; your Murmurs were considered and treated as the Language of Faction, and your Uneasiness was ascribed to a restive Disposition, impatient of Controul.

In Proportion, however, as your Oppressions were multiplied and increased, your Opposition to them became firm and vigorous. Remonstrances succeeded Petitions: A Resolution, carried into Effect, not to import Goods from *Great Britain* succeeded both. The Acts of Parliament then complained of were, in Part, repealed. Your Good-Humour and unsuspecting Fondness returned. Short — alas! *too* short — was the Season allowed for indulging them. The former System of Rigour was renewed.

The Colonies, wearied with presenting fruitless Supplications and Petitions *separately*; or prevented, by arbitrary and abrupt Dissolutions of their Assemblies, from using even those fruitless Expedients for Redress, determined to *join* their Counsels and their Efforts. Many of the Injuries flowing from the unconstitutional and ill-advised Acts of the British Legislature affected all the Provinces equally; and even in those Cases, in which the Injuries were confined, by the Acts, to one or to a few, the *Principles*, on which they were made extended to all. If common Rights, common Interests, common Dangers and common Sufferings are Principles of Union, what could be more natural than the Union of the Colonies?

Delegates, authorised by the several Provinces from Nova Scotia to Georgia to represent them and act in their Behalf, met in GENERAL CONGRESS.

It has been objected, that this Measure was unknown to the Constitution; that the Congress was, of Consequence, an illegal Body; and that its Proceedings could not, in any Manner, be recognized by the Government of Britain. To those, who offer this Objection, and have attempted to vindicate, by its supposed Validity, the Neglect and Contempt, with which the Petition of that Congress to his Majesty was treated by the Ministry, we beg Leave, in our Turn, to propose, that they would explain the Principles of the Constitution, which warranted the *Assembly of the Barons at RUNNINGMEDE* when *MAGNA CHARTA* was signed, the *Convention-Parliament* that recalled Charles 2<sup>d</sup> and the *Convention of Lords and Commons* that placed King William on the Throne. When they shall have done this we shall, perhaps, be able to apply their Principles to prove the necessity and Propriety of a Congress.

But the Objections of those, who have done so much and aimed so much against the Liberties of America, are not confined to the *Meeting* and the *Authority* of the Congress: They are urged with equal Warmth against the *Views* and *Inclinations* of those who composed it. We are told, in the Name of Majesty itself, that “the Authors and Promoters of



this *desperate Conspiracy*," as those who framed his Majesty's Speech are pleased to term our *laudable Resistance*, "have, in the Conduct of it, derived great Advantage from the Difference of his Majesty's Intentions and theirs. That they meant only to amuse by vague Expressions of Attachment to the Parent State, and the strongest Protestations of Loyalty to the King, whilst they were preparing for a general Revolt. That, on the Part of his Majesty and the Parliament, the Wish was rather to reclaim than to subdue." It affords us some Pleasure to find that the Protestations of Loyalty to his Majesty, which have been made, are allowed to be strong; and that Attachment to the Parent State is owned to be expressed. Those Protestations of Loyalty and Expressions of Attachment ought, by every Rule of Candour, to be presumed sincere, unless Proofs evincing their Insincerity can be drawn from the Conduct of those who used them.

In examining the Conduct of those, who directed the Affairs of the Colonies at the Time when, it is said, they were preparing for a general Revolt, we find it an easy Undertaking to shew, that they merited no Reproach from the British Ministry by Making any Preparations for *that Purpose*. We wish it were as easy to shew, that they merited no Reproach from their Constituents, by neglecting the necessary Provisions for *their Security*. Has a single Preparation been made, which has not been found requisite for our Defence? Have we not been attacked in Places where, fatal Experience taught us, we were not sufficiently prepared for a successful Opposition? On which Side of this unnatural Controversy was the *ominous Intimation* first given, that it must be decided by Force? Were Arms and Ammunition imported into *America*, before the Importation of them was prohibited? What Reason can be assigned for this Prohibition, unless it be this: that those who made it had determined upon such a System of Oppression as they knew, would *force* the Colonies into Resistance? And yet, they "wished only to reclaim!"

The Sentiments of the Colonies, expressed in the Proceedings of their Delegates assembled in 1774 were far from being disloyal or disrespectful. Was it disloyal to offer a Petition to your Sovereign? Did your still and anxious Impatience for an Answer, which your *Hopes*, founded only on your *Wishes*, as you too soon experienced, flattered you would be a gracious one—did this Impatience indicate a Disposition only to amuse? Did the keen Anguish, with which the Fate of the Petition filled your Breasts, betray an Inclination to avail your selves of the Indignity, with which you were treated, for forwarding favourite Designs of Revolt?

Was the Agreement not to import Merchandise from *Great Britain* or *Ireland*; nor, after the tenth Day of September last, to export our Produce to those Kingdoms and the *West-Indies*—was this a disrespectful or an hostile Measure? Surely we have a Right to withdraw or to Continue our own Commerce. Though the British Parliament have exercised a Power of *directing* and *restraining* our Trade; yet, among all their extraordinary Pretensions, we recollect no Instance of their attempting to *force* it contrary to our Inclinations. It was well known, before this Measure was

adopted, that it would be detrimental to our own Interest, as well as to that of our fellow-Subjects. We deplored it on both Accounts: We deplored the Necessity that produced it. But we were willing to sacrifice our Interest to any probable Method of regaining the Enjoyment of those Rights, which, by violence and Injustice, had been infringed.

Yet even this peaceful Expedient, which Faction surely never suggested, has been represented, and by high Authority too, as a seditious and unwarrantable Combination. We are, we presume, the first Rebels and Conspirators, who commenced their Conspiracy and Rebellion with a System of Conduct, immediately and directly frustrating every Aim, which Ambition or Rapaciousness could propose. Those, whose Fortunes are desperate, may upon slighter Evidence be charged with desperate Designs: But how improbable is it, that the Colonists, who have been happy, and have known their Happiness in the quiet Possession of their Liberties; who see no Situation more to be desired, than that, in which, till lately, they have been placed; and whose warmest Wish is to be re-instated in the Enjoyment of that Freedom, which they claim and are entitled to as Men and as British Subjects — how improbable is it that *such* would, without any Motives that could tempt even the most *profligate* Minds to Crimes, plunge themselves headlong into all the Guilt and Danger and Distress, with which those that endeavour to overturn the Constitution of their Country are always surrounded, and frequently overwhelmed?

The humble unambitious Colonists asked only for "Peace, Liberty and Safety." This, we think, was a reasonable Request: Reasonable as it was, it has been refused. Our ministerial Foes, dreading the Effects, which our commercial Opposition might have upon their favourite Plan of reducing the Colonies to Slavery, were determined not to hazard it upon that Issue. They employed military Force to carry it into Execution. Opposition of Force by Force, or Unlimited Subjection was now our only Alternative. Which of them did it become Freeman, determined never to surrender that Character, to chuse? The Choice was worthily made. We wish for Peace — we wish for Safety: But we will not, to obtain either or both of them, part with our Liberty. The sacred Gift descended to us from our Ancestors: We cannot dispose of it: We are bound by the strongest Ties to transmit it, as we have received it, pure and inviolate to our Posterity.

We have taken up Arms in the best of Causes. We have adhered to the virtuous Principles of our Ancestors, who expressly stipulated, in their Favour, *and in ours*, a Right to resist every attempt upon their Liberties. We have complied with our Engagements to our Sovereign. He should be the *Ruler* of a *free* People: We will not, as far as his Character depends upon us, permit him to be degraded into a *Tyrant* over *Slaves*.

Our *Troops* are Animated with the Love of Freedom. They have fought and bled and conquered in the Discharge of their Duty as good Citizens as well as brave Soldiers. Regardless of the Inclemency of the Seasons, and of the Length and Fatigue of the March, they go, with Cheerfulness, wherever the Cause of Liberty and their Country requires

their Service. We confess that they have not the Advantages arising from Experience and Discipline: But Facts have shewn, that native Courage, warmed with Patriotism, is sufficient to counterbalance those Advantages. The Experience and Discipline of our Troops will daily encrease: Their Patriotism will receive no Diminution: The longer those, who have forced us into this War, oblige us to continue it, the more formidable we shall become.

The Strength and Resources of *America* are not confined to Operations *by Land*. She can exert herself likewise *by Sea*. Her Sailors are hardy and brave: She has all the Materials for Ship-building: Her Artificers can work them into Form. We pretend not to vie with the Royal Navy of England; though that Navy *had its Beginnings*: But still we may be able in a great Measure to defend our own Coasts; and may intercept, as we have been hitherto successful in doing, Transports and Vessels laden with Stores and Provisions.

Possessed of so many Advantages; favoured with the Prospect of so many more: Threatened with the Destruction of our Constitutional Rights; cruelly and illiberally attacked, because we will not subscribe to our own Slavery; ought we to be animated with Vigour; or to sink into Despondency? When the Forms of our Government are, by those entrusted with the Direction of them, perverted from their original Design; ought we to submit to this Perversion? Ought we to sacrifice the *Forms*, when the Sacrifice becomes necessary for preserving the *Spirit* of our Constitution? — Or ought we to neglect, and, neglecting, to lose the Spirit by a superstitious Veneration for the Forms? We regard those Forms, and wish to preserve them as long as we can consistently with higher Objects: But much more do we regard essential Liberty, which, at all Events, we are determined not to lose, but with our Lives. In contending for this Liberty, we are willing to go through good Report, and through evil Report.

In our present situation, in which we are called to oppose an Attack upon your Liberties, made under bold Pretensions of Authority from that Power, to which the executive Part of Government is, in the ordinary Course of Affairs, committed — in this Situation, every Mode of Resistance, though directed by Necessity and by Prudence, and authorised by the Spirit of the Constitution, will be exposed to plausible Objections drawn from its Forms. Concerning such Objections, and the Weight that may be allowed to them, we are little solicitous. It will not discourage us to find ourselves represented as “labouring to enflame the Minds of the People in America, and openly avowing Revolt Hostility and Rebellion.” We deem it an Honour to “have raised Troops, and collected a Naval Force”; and, “cloathed with the sacred Authority of the People, from whom all LEGITIMATE AUTHORITY proceeds, to have exercised legislative, executive and judicial Powers.” For what Purposes were those Powers instituted? For your Safety and Happiness. You and the World will judge whether those Purposes have been best promoted by us; or by those who claim the Powers, which they charge us with assuming.

But while we feel no Mortification at being misrepresented with Regard to the *Measures* employed by us for accomplishing the great Ends, which you have appointed us to pursue; we cannot sit easy under an Accusation, which charges us with laying aside those *Ends*, and endeavouring to accomplish *such as are very different*. We are accused of carrying on the War "for the Purpose of establishing an independent Empire."

We disavow the Intention—We declare, that what we aim at, and what we are entrusted by you to pursue, is the *Defence and the Re-establishment of the constitutional Rights of the Colonies*. Whoever gives impartial Attention to the Facts we have already stated, and to the Observations we have already made, must be fully convinced that all the Steps, which have been taken by us in this unfortunate Struggle, can be accounted for as rationally and as satisfactorily by supposing, that the Defence and Re-establishment of their Rights were the Objects which the Colonists and their Representatives had in View; as by supposing that an independent Empire was their Aim. Nay, we may safely go farther and affirm, without the most distant Apprehension of being refuted, that many of those Steps can be accounted for rationally and satisfactorily only upon the former Supposition; and cannot be accounted for, in that Manner, upon the latter. The numerous Expedients that were tried, though fruitlessly, for avoiding Hostilities: The visible and unfeigned Reluctance and Horror, with which we entered into them: The Caution and Reserve, with which we have carried them on: The attempts we have made by petitioning the Throne, and by every other Method, which might probably, or could possibly be of any Avail for procuring an Accommodation—These are not surely the usual Characteristics of Ambition.

In what Instance have we been the Aggressors? Did our Troops take the Field before the ministerial Forces began their hostile March to *Lexington* and Concord? Did we take Possession, or did we form any Plan for taking Possession of *Canada*, before we knew that it was a Part of the ministerial System to pour the *Canadians* upon our Frontiers? Did we approach the *Canadians*, or have we treated them as Enemies? Did we take the Management of the *Indian Tribes* into our Hands, before we were well assured that the Emissaries of Administration were busy in persuading them to strike us? When we treated with them, did we imitate the barbarous Example? Were not our Views and Persuasions confined to keeping them in a State of Neutrality? Did we seize any Vessel of our Enemies, before our Enemies had seized some of ours? Have we yet seized any, except such as were employed in the Service of Administration, and in supplying those that were in actual Hostilities against us? Cannot our whole Conduct be reconciled to *Principles and Views of Self-Defence*? Whence then the uncandid Imputation of *aiming at an independent Empire*?

Is no Regard to be had to the Professions and Protestations made by us, on so many different Occasions, of Attachment to Great Britain, of Allegiance to his Majesty; and of Submission to his government upon the

Terms, on which the Constitution points it out as a Duty, and on which alone a *British Sovereign* has a Right to demand it?

When the Hostilities commenced by the ministerial Forces in Massachusetts Bay, and the imminent Dangers threatening the other Colonies rendered it absolutely necessary that they should be put into a State of Defence—even on that Occasion, we did not forget our Duty to his Majesty, and our regard for our fellow-Subjects in Britain. Our Words are these: “But as we most ardently wish for a Restoration of the Harmony formerly subsisting between our Mother-Country and these Colonies, the Interruption of which must, at all Events, be exceedingly injurious to both Countries: [Resolved] that with a sincere Design of contributing, by all Means in our Power not incompatible with a just Regard for the undoubted Rights and true Interests of these Colonies, to the Promotion of this most desirable Reconciliation, an humble and dutiful Address be presented to his Majesty.”

If Purposes of establishing an independent Empire had lurked in our Breasts, no fitter Occasion could have been found for giving Intimations of them, than in our Declaration setting forth the Causes and Necessity of our taking up Arms: Yet even there no Pretence can be found for fixing such an Imputation on us. “Lest this Declaration should disquiet the Minds of our Friends and fellow-Subjects in any Part of the Empire, we assure them, that we mean not to dissolve that Union, which has so long and so happily subsisted between us, and which we sincerely wish to see restored. Necessity has not yet driven us into that desperate Measure, or induced us to excite any other Nation to war against them. We have not raised Armies with the ambitious Designs of Separating from Great Britain, and establishing independent States.” Our Petition to the King has the following asseveration. “By such Arrangements as your Majesty’s Wisdom can form for collecting the united Sense of your American People, we are convinced your Majesty would receive such satisfactory Proofs of the Disposition of the Colonists towards their Sovereign and the Parent State, that the wished for Opportunity would be soon restored to them, of evincing the Sincerity of their Professions by every Testimony of Devotion becoming the most dutiful Subjects and the most affectionate Colonists.” In our Address to the Inhabitants of Great Britain, we say: “We are accused of aiming at Independence: But how is this Accusation supported? By the Allegations of your Ministers, not by our Actions. Give us Leave most solemnly to assure you, that we have not yet lost Sight of the Object we have ever had in View, a Reconciliation with you on constitutional Principles, and a Restoration of that friendly Intercourse, which to the Advantage of both we till lately maintained.”

If we wished to detach you from your Allegiance to his Majesty, and to wean your Affections from a Connexion with your fellow-Subjects in Great Britain, is it likely that we would take so much Pains upon every proper Occasion, to place those Objects before you in the most agreeable Points of View?



If any equitable Terms of Accommodation had been offered to us, and we had rejected them, there would have been some Foundation for the Charge that we endeavoured to establish an independent Empire. But no Means have been used either by Parliament or by Administration for the Purpose of bringing this Contest to a Conclusion, besides Penalties directed by Statutes, or Devastations occasioned by War. Alas! how long will Britons forget that Kindred-Blood flows in your Veins? How long will they strive, with hostile Fury, to sluice it out from Bosoms that have already bled in their Cause; and, in their Cause, would still be willing to pour out what remains, to the last precious Drop?

We are far from being insensible of the Advantages, which have resulted to the Colonies as well as to Britain from the Connexion which has hitherto subsisted between them: We are far from denying them, or wishing to lessen the Ideas of their Importance. But the Nature of the Connexion, and the Principles, on which it was originally formed, and on which alone it can be maintained, seem unhappily to have been misunderstood or disregarded by those, who laid and conducted the late destructive Plan of Colony-Administration. It is a Connexion founded upon mutual Benefits; upon Religion, Laws, Manners, Customs and Habits common to both Countries. Arbitrary Exertions of Power on the Part of Britain, and servile Submission on the [torn] Colonies, if the Colonies should ever become degenerate enough to [torn] it, would immediately rend every generous Bond asunder. An intimate Connexion between Freemen and Slaves cannot be continued without Danger and, at last, Destruction to the former. Should your Enemies be able to reduce you to Slavery, the baneful Contagion would spread over the whole Empire. We verily believe that the Freedom, Happiness and Glory of Great Britain, and the Prosperity of his Majesty and his Family depend upon the Success of your Resistance. You are now expending your Blood, and your Treasure in promoting the Welfare and true Interests of your Sovereign and your fellow-Subjects in Britain, in Opposition to the most dangerous Attacks that have been ever made against them.

The Ideas of deriving Emolument to the Mother Country by taxing you, and depriving you of your Constitutions and Liberties were not introduced till lately. The Experiments, to which those Ideas have given Birth, have proved disastrous: The Voice of Wisdom calls loudly that they should be laid aside. Let them not, however, be removed from View. They may serve as Beacons to prevent future Shipwrecks.

Britain and these Colonies have been Blessings to each other. Sure we are, that they might continue to be so. Some salutary System might certainly be devised, which would remove, from both Sides, Jealousies that are ill-founded, and the Causes of Jealousies that are well founded; which would restore to both Countries those important Benefits that Nature seems to have intended them reciprocally to confer and to receive; and which would secure the Continuance and the Encrease of those Benefits to numerous succeeding Generations. That such a System may be formed is our ardent Wish.



But as such a System must affect the Interest of the Colonies as much as that of the Mother Country, why should the Colonies be excluded from a Voice in it? Should not, to say the least upon this Subject, their Consent be asked and obtained as to the *general Ends* which it ought to be calculated to answer? Why should not its Validity depend upon us as well as upon the Inhabitants of Great Britain? No Disadvantage will result to them: An important Advantage will result to [us]. We shall be affected by no Laws, the Authority of which, as far as they regard us, is not *founded on our own Consent*. This Consent may be expressed as well by a Solemn Compact, as if the Colonists, by their Representatives, had an immediate Voice in passing the Laws. In a Compact we would *concede* liberally to Parliament: For the *Bounds* of our Concessions would be known.

We are too much attached to the English Laws and Constitution and know too well their happy Tendency to diffuse Freedom, Prosperity and Peace wherever they prevail, to desire an independent Empire. If one Part of the Constitution be pulled down, it is impossible to foretel whether the other Parts of it may not be shaken, and, perhaps, overthrown. It is a Part of our Constitution to be under Allegiance to the Crown. Limited and ascertained as the Prerogative is, the Position — *that the King can do no wrong* — may be founded in *Fact* as well as in *Law*, if you are not wanting to yourselves.

We trace your Calamities to the House of Commons. *They* have undertaken to *give* and *grant your* Money. From a supposed virtual Representation in *their* House it is argued, that *you* ought to be bound by the Acts of the British Parliament in all Cases whatever. This is no Part of the Constitution. This is the Doctrine, to which we will never subscribe our Assent: This is the Claim, to which we adjure you, as you tender your own Freedom and Happiness, and the Freedom and Happiness of your Posterity, never to submit. The same Principles, which directed *your Ancestors* to oppose the exorbitant and dangerous Pretensions of the Crown, should direct *you* to oppose the no less exorbitant and dangerous Claims of the House of Commons. Let all Communication of despotic Power through that Channel be cut off, and your Liberties will be safe.

Let neither our Enemies nor our Friends make improper Inferences from the Solicitude, which we have discovered to remove the Imputation of aiming to establish an independent Empire. Though an independent Empire is not our *Wish*; it may — let your Oppressors attend — it may be the *Fate* of our Countrymen and ourselves. It is in the Power of your Enemies to render Independency or Slavery your and our only alternative. Should we — will you, in such an Event, hesitate a Moment about the Choice? Let those, who drive us to it, answer to their King and to their Country for the Consequences. We are *desirous* to continue Subjects: But we are *determined* to continue Freemen. We shall deem ourselves bound to renounce; and, we hope, you will follow our Example in renouncing the *former* Character whenever it shall become incompatible with the *latter*.

While we shall be continued by you in the very important Trust, which you have committed to us, we shall keep our Eyes constantly and steadily fixed upon the grand Object of the Union of the Colonies — THE RE-ESTABLISHMENT AND SECURITY OF THEIR CONSTITUTIONAL RIGHTS. Every Measure that we employ shall be directed to the Attainment of this great End: No Measure, necessary, in our Opinion, for attaining it, shall be declined. If any such Measure sh [torn] our principal Intention, draw the Colonies into Engagements that may suspend or dissolve their Union with their fellow-Subjects in Great Britain, we shall lament the Effect; but shall hold ourselves justified in adopting the Measure. That the Colonies may continue connected, as they have been, with Britain, is our second Wish: Our first is — THAT AMERICA MAY BE FREE.

## 2. *The Surrender of Fort Charlotte, Mobile, 1780.*

[The following documents are sent by William Beer, Esq., Librarian of the Howard Memorial Library, New Orleans.]

During a short visit to London in 1895, I found at the Record Office, under the heading *Colonial Records, America and West Indies*, a complete series of documents relative to the history of the British colony of West Florida. I made a few notes, among which the more interesting relate to the capture of Fort Charlotte, Mobile, by the Spanish under Don Bernardo de Galvez.

After describing the surrender of Fort Bute and Baton Rouge, Gayarré in the *History of Louisiana* states that "on the 5th February, 1780, Galvez sailed from the Balize with 2000 men, composed of regulars, of the militia of the colony, and of some companies of free blacks. In the Gulf he was overtaken by a storm which crippled some of his vessels. After some delay Galvez succeeded in landing his army on the eastern point of Mobile harbor, but in such confusion that had General Campbell, who was at Pensacola, marched immediately against them, he might have secured an easy victory. For this Galvez had made provision, but learning from his spies that the English showed no sign of sallying from Pensacola he decided to attack Fort Charlotte."

We learn from Von Eelking, *Die Deutschen Hilfstruppen im Nordamerikanischen Befreiungs-Kriege, 1776 bis 1783*, Hannover, 1863, that an effort was made by General Campbell to relieve the fort, but the movements of the relieving force were delayed by heavy rain-storms which flooded the country.

After the summons to surrender and the receipt of Captain

Durnford's reply, siege batteries were erected, in ten days a breach was made in the walls of the fort, and its commander wisely capitulated. It is said that, on the discovery of the small number of the defenders of the fort, Galvez regretted the easy terms granted.

[Copied from America and West Indies :  
Floridas 1702-1782. No. 533.]

A LA POINTE DES CHAKTO, le 1 Mars, 1780.

*Monsieur,*

Si j'avais moins de deux mille hommes à mes ordres, et si vous aviez plus de cent soldats et quelques matelots, je ne vous ferois pas la proposition de vous rendre, mais la grande inégalité des forces nous met dans le cas — vous de céder immédiatement ou moi de vous faire subir toutes les extrémités de la guerre, si une résistance inutile et déplacée irrite la patience de mes troupes, trop ennuyés par quelques contretemps.

Au jour d'hui je suis prêt à vous accorder une capitulation régulière et conforme aux circonstances — demain peut-être il n'y aura plus d'autre partie pour vous que le repentir infructueux de n'avoir pas accepté ma proposition en faveur des malheureux qui sont sous votre commandement.

J'ai l'honneur d'être

Monsieur

Votre très humble et

très obéissant serviteur

[Signed] B<sup>do</sup> DE GALVEZ.

FORT CHARLOTTE, MOBILE, 1 March, 1780.

*Sir,*

I have the honor to acknowledge the receipt of your Excellency's Summons to surrender immediately the Fort to your Excellency's Superior Forces.

The difference of numbers I am convinced are greatly in your favor, Sir, but mine are much beyond your Excellency's conception and was I to give up this Fort on your demand, I should be regarded as a traitor to my king and country. My love for both and my own honor direct my heart to refuse surrendering this Fort until I am under conviction that resistance is in vain.

The generosity of your Excellency's mind is well known to my brother officers and soldiers and should it be my misfortune to be added to their number a heart full of generosity and valor will ever consider brave men fighting for their country as objects of esteem and not revenge.

I have the honor to be

[Signed] ELIAS DURNFORD.

Gov. D. B. DE GALVEZ.

MOBILE, 2nd March, 1780.

*Sir,*

Soon after I sent Land Express, a flag was perceived in the wood and I sent an officer to receive it at some distance.

This, as I expected, was a summons to surrender to Don Bernardo de Galvez's Superior Forces. A copy of which you have inclosed with my answer thereto — The Flag was brought in Person by an old acquaintance, Colonel Bolyny who sent me a polite card — wishing for the pleasure of an interview if possible, and Profession of Friendship, although we were National enemies, on which I sent Mr. Barde to conduct him into the Fort with the customary ceremony where he dined and continued until near five o'clock drinking a chearful Glass to the healths of our King and Friends.

During our conversation I found that the Report of the Shipwreck was true; he acknowledged that they had undergone great hardships, but would not allow to have lost any men, and informed me that they were about 2500 men, but by trusty indians who were sent by me into the camp in the morning, I learned that a great number were negroes and mulattoes and that they had landed no cannon.

Bolyny confirmed that we had cut the cable and just hit the Row Galley — but we are certain that three nine Pounders shot hit her and as she is gone off I suspect she is well mauled for yesterday morning she was seen opposite the Chactaws on a heal and I suppose is gone to Dog River to repair the damage received from our shot.

As soon as Colonel Bolyny left me I drew up my Garrison in the square, read to them Don Galvez's summons, and then told them that if any man among them was afraid to stand by me that I should open the gate and he should freely pass. this had the desired effect, and not a man moved. I then read to them my answer to the summons in which they all joined in three cheers and then went to our necessary work like good men.

I really believe their (the enemy's) force is greatly magnified.

I am —

[Signed] ELIAS DURNFORD.

GENERAL CAMPBELL.

Your great good news hath just arrived. I thank you dear Sir for the consolation it affords me. I need not say I will defend Fort to the last extremity. The vessels I can see from this are in the mouth of the East Pass about two miles distant from the Fort. And the Galvez Brig is one and Picklers' Florida the other. Near to the Dog River are five ships or Pollaccas and I am informed that three or four are in Dog River besides the Row Galley. I am &c.

[Signed] ELIAS DURNFORD.

4 o'clock afternoon.

[GEN.] CAMPBELL.

*Sir,*

It is my misfortune to inform you that this morning my small but brave Garrison marched down the Breach and surrendered themselves Prisoners of War to General Bernardo de Galvez's Superior Arms. I write for your information and request you will do me the favor to inform Mrs. Durnford that I am in good health and that she ought to be under no uneasiness at my fate, when it is in my power to send you the Capitulation and state preceeding it for a few days will do it; in the mean time I assure you Sir that no man in the Garrison hath stained the Luster of the British Arms.

I have the honor to be &c.

[Signed] ELIAS DURNFORD.

FORT CHARLOTTE, MOBILE, 14th March 1780.

The number by return of killed, wounded, and prissoners, 304.

*3. Letter of John Page to Madison, 1801.*

The following letter of John Page, a patriot of the Revolution, a member of Congress from 1789 to 1797, and Governor of Virginia from 1802 to 1805, was found among a collection of old letters in the Department of State at Washington, labelled "Applications and Recommendations for Office. Chiefly Revolutionary Officers." It seems to have no place in this collection unless the wish expressed in it that "every possible encouragement may be given by Government to such vigilant and enlightened editors of newspapers as have ably supported the Republican cause" may be considered as recommending newspaper men for offices under Jefferson's administration.

E. I. RENICK.

ROSEWELL  
Apl 7th 1801.

*My dear Sir*

I return you my best Thanks for your Friendly Answer to my Letter.

I heartily condole with you on the Death of your Father, a Circumstance but lately made known to me: and lament the bad State of your Health. But I sincerely hope that you will be soon restored to perfect Health, and that no Circumstance may occur to interrupt you in the Exercise of the Office, in which every Friend of yours and of the United States wished to see you placed.

We rejoice with sincere, but dignified and well regulated Expressions of Joy, at the late happy Triumphs of the republican Cause here, and at the Confusion and overthrow of the formidable Combination in Europe of its

imperial Enemies. Both Whigs and Tories, I am told, have expressed their Approbation of the President's Address, and Creed. I have declared it to be the Creed of the *true* holy catholic Church, and truly apostolical; as it is the Creed which the Apostles might have taught, had they, like so many modern Apostles, been permitted to meddle with the Affairs of this World, and its Forms of Government; it being so admirably calculated to bring into general and national Use and Practice the benevolent Precepts of the Gospel. The principal Leaders of the late Federal Faction seem still very anxious to thrust Federalists as they call them into Seats in Congress. Which proves, that they still meditate Mischief. For they formerly declared that the Views and Measures of the Administration, or of Government, as they termed it, ought to be supported by Congress; and that therefore, no one opposed to those Views and Measures, ought ever to be elected to serve in Congress: seeing that Persons so opposed must from the Nature of Man embarrass Government and excite Discontents leading to Confusion, Insurrection and Anarchy. And the active long winded Speaker and everlasting scribbling Tool of the Arch-Leader, has declared to his late Constituents, that the Federalists "who have hitherto conducted the Affairs of this Government, have left an easy Task to their successors. Every thing has been done to their Hands, in spite of their constant and violent Opposition" — "all that is required of them is, to preserve things in their present State; to keep up the Fences which have been made on the Farm, to prevent the Buildings which have been erected from falling down, through want of repair; and to keep the Fields from being over-run by Briars and Weeds. In this respect their Task is easy. In another it is hard indeed. For should they by their Rashness, their Feebleness, or their Folly destroy the fair Fabric of national Happiness; which their Predecessors have erected; should they embroil the Nation unnecessarily with its Neighbours, or suffer to fall into ruin those domestic Establishments which have bestowed upon it such unexampled Prosperity, the day of Account and Retribution will come, and a dreadful day it will be." Here then you see the Necessity, in the Opinion of staunch Feds, of keeping in Congress at least a sufficient Number of their Party to watch the Conduct of the Anti-feds or Democrats; to see whether they will "*keep up the Fences,*" *keep down the Briars* and do all things according to the true federal Plan; and on the first Deviation therefrom to cry out for the Retribution, and to fix on the dreadful Day of Account: in short to produce that opposition to Gov<sup>t</sup> which they vainly hope will produce Discontent and Insurrection, and which they as vainly hope would be supported by powerful Assistance from those "*Neighbours*" with whom they have been so much afraid of being "*embroiled.*" I have taken the Liberty of making these Remarks because I really think it worth your Trouble to watch the Machinations of that restless, active implacable Enemy of our President and of his Principles of Government. I wish every possible Encouragement may be given by Gov<sup>t</sup> to such vigilant and enlightened Editors of News-papers as have ably supported the republican Cause, and in Defiance of the Terrors of the Sedition



Act, and the seducing Arts of a corrupt and corrupting Administration, boldly exposed to public View both the Errors and Vices of the Leaders of a detestable Faction. Would you believe that some well meaning People had been induced to believe that the late Insurrection of Slaves at Richmond would not have happened had not the Army been disbanded, and that therefore a standing Army is or ought to be a desireable Object to Citizens of the Southern States? These good People or some of them at least have been since led to suspect that an Insurrection in these States, and particularly in this, which was denounced by P—t Adams as having Faction in it which deserved to be humbled in the dust &c, would be a more desireable Object to certain friends of energetic Government, and its support, a Standing Army, than such an Army ought to be even to a South Carolinian. But I am again runing on beyond the Bounds I had prescribed to myself in a Letter to you.

M<sup>rs</sup> Page is thankful to you and M<sup>rs</sup> Madison for your kind remembrance of her when she deserved to be forgotten — but she declares that various Accidents have happened which deprived her of the Pleasure she had promised herself in writing to M<sup>rs</sup> Madison, but that she will certainly send her a Letter by the next Post. She unites with me in presenting to you both, our best Wishes and Assurances of our Esteem and Affection

I am dear Sir your Friend

JOHN PAGE.

P.S.

Whenever you may find leisure to favor me with a line direct to me near Gloucester Court House ; or near York, but not to W<sup>m</sup>burg.

J. P.

## REVIEWS OF BOOKS

*The Egypt of the Hebrews and Herodotos.* By the Rev. A. H. SAYCE, Professor of Assyriology at Oxford. (London and New York: Macmillan and Co. 1895. Pp. xvi, 342.)

IN this little volume Professor Sayce has repeated, condensed, and supplemented a considerable portion of his earlier writings upon Egyptian and Hebrew history, geography, and archæology. According to the preface the work "is intended to supplement the books already in the hands of tourists and students, and to put before them just that information which either is not readily accessible or else forms part of larger and more cumbrous works." The title indicates in a general way the contents of the volume. Three-fifths of the text (pp. 1-174) are taken up with the "Egypt of the Hebrews," including a sketch of the régime of the Ptolemies, and the remainder (pp. 175-286) is devoted to the "Egypt of Herodotos." Appendices, occupying 48 pages, present in tabular form, I. the Egyptian dynasties of Manetho; II. the Ptolemies; III. a list of biblical dates of relevant events; IV. a catalogue of the nomes with their respective gods; V. a critical enumeration of the Greek writers upon Egypt, and VI. directions for archæological excursions in the Delta.

It will be seen from the above summary that the book has an interesting theme. It is also an interesting book, especially for those who have not read the author's earlier publications upon the same or kindred subjects. The works to which I refer especially are, *The Ancient Empires of the East*, appended to the author's edition of the first three books of Herodotos, *Fresh Light from the Ancient Monuments*, *The Higher Criticism and the Monuments*, to which may be added a volume which appears almost simultaneously with the one under review, entitled, *Patriarchal Palestine*. The distinction in plan and purpose between the present work and the others is not that this is intended for popular use, and the others for scholars; for all of them are written in a popular style. The object of the book before us is rather to single out for special treatment that one of the ancient nations to which Professor Sayce has of late years paid most attention, and to exhibit its history from the point of view of a biblical apologist, and a reviser of Herodotos. Naturally nearly everything to be here found has been said already in one and another of the books above mentioned.

The reader is at once conscious of the lack of unity in the book, which is indeed suggested by the title, and one is inclined to ask whether it would

not have been better to write instead a succinct history of Egypt, with archaeological chapters and excursuses. It certainly gives a one-sided impression of a great history, to treat it exclusively from special points of view. The biblical and classical interest in Egypt might, under the plan thus suggested, have received their due consideration. However, taking the book as we find it, we must accord it at least such commendation as the author's popular writings generally are entitled to. The style is sprightly, and compels rapid reading, partly because the author manifestly writes in haste, and partly, it must be confessed, because the positions assumed are not treated with judicial deliberation. It is undeniable also that Professor Sayce enlists the attention of his readers by adducing many facts with which he has made himself familiar, and which often have a real importance for national and comparative history. Chapter V., "The Age of the Ptolemies," is the section that will be newest to former readers of the author's writings. But the chapters on the Patriarchal Age (I.), the Age of Moses (II.), and the Exodus and the Hebrew settlement in Canaan (III.), are so replete with information or conjecture as to matters that have only come within our ken in recent years, that they still have an aspect of great freshness, especially as they tell an entertaining story in a fashion only possible to their ingenious author. Above all, the wonders of the earliest age have a perennial interest; and facts like that of the exact fitting together of the immense granite blocks of the great Pyramid (pp. 8 f.) are still surprising, even when they have lost the charm of novelty. In the second portion the chapter headed, "In the Steps of Herodotos," is probably the best worth reading; the preceding one, "Herodotos in Egypt," being perhaps a somewhat superfluous polemic against good old Herodotos, whom Professor Sayce still insists on regarding as a popular historical authority. The fact is that scholars have long since learned both to judge and to utilize the delightful old compiler, while those who are not scholars do not care whether he is accurate or not as long as he tells a good story.

But it may be more useful to the reader to point out some of the features which make the book one to be used with caution. The volume, like others of its class from the same author, is not educative. It does not set forth any principles of historical development, or indeed any unifying principle of more than a superficial kind. It presents a series of disconnected facts and observations, mainly such as confirm or illustrate the Bible, and their collocation with the matter to be confirmed or illustrated ends the significance of their citation. Moreover, the book is sadly lacking in the sense of proportion. The most insignificant matters are dealt with alongside of the most important with no sort of association except that of propinquity, and the merest speculation is co-ordinated with well-established facts. Again, in this and other writings the author justly excites distrust, not merely by his journalistic style and method, but also by his failure to give references or to indicate his sources. No living scholar can speak with independent authority on the multitude of recondite and isolated topics which form the staple of these publications. It is somewhat naïve for the

author to say in the course of a criticism of Herodotos (p. 177), "Reviewers did not exist in his days, nor were marks of quotation, or even footnotes, as yet invented." As a matter of fact, Professor Sayce's writings, in spite of his great talents and services to Oriental learning, abound in mistakes and inconsistencies — the result of over-haste, and as it would almost seem of recklessness. Little space is left here for allusion to errors or doubtful assertions. On page 2 it is said that the Babylonian states were united in 2350 B.C. This is almost certainly a century too early. The matter is of importance here as bearing upon the date of Abraham. It is seriously stated (p. 38) that the 430 years of Ex. xii. 40 f. differs from the 400 of Gen. xv. 13, by "the length of a generation" purposely added. The term *abrek*, "seer," of Gen. xli. 43, can hardly be referred to the alleged "primitive non-Semitic language of Chaldæa" (p. 33), in view of the Assyrian root *barû*, "to see," and the Assyrian nominal termination. On page 116 it is asserted incorrectly of Sennacherib that the spoils and captives of Judah were the only fruits of his campaign in Palestine. On the same page, the statement as to Esarhaddon that "Manasseh of Judah became his vassal and the way lay open to the Nile," is quite misleading, since Manasseh was a vassal of Sennacherib also. On page 118 it is said that "Assurbanipal left Egypt in the full belief that it was tranquil." It is extremely doubtful if Assurbanipal ever saw Egypt. On page 128, the taking of Jerusalem is placed in 588 B.C. instead of 586. We notice also that Professor Sayce still persists in writing "dragomen" (pp. 123, 193, 273, 278, 286).

J. F. McCURDY.

*The Empire of the Ptolemies.* By J. P. MAHAFFY, Fellow, etc., of Trinity College, Dublin. (London and New York: Macmillan and Co. 1895. Pp. xxv, 533.)

It is eminently fitting that the first special and complete history of the dynasty of the Ptolemies in Egypt should come to us from England, after her entrance into the inheritance of the Ptolemies. The problems which confront her in the administration of Egypt are in many ways like those which confronted Alexander the Great and Ptolemy Lagus. And there seems to be on the part of the English government the same marvellous perception of the best methods of evoking and enjoying the inexhaustible riches of this ever fruitful Nile-land, which Alexander first showed when he took it in willing lapse from the mismanagement of Persia, as England from that of Turkey. Ptolemy Lagus wisely adopted the methods of his great master, and established them so securely in the course of his long and successful reign that not even the degeneracy of his latest descendants weakened their hold upon this rich domain. They passed it over to the Romans. Romans, Saracens, and Turks have spoiled but not exhausted the patient land. Its frugal and laborious people, now as always really swayed only by religious masters, willingly pour the fruits of their toil

into the lap of the power which gives them the privilege thus to be swayed.

And perhaps no British subject is so well qualified as Professor Mahaffy to give us this history of the Ptolemies. He has not only passed in careful review the life and thought of ancient Hellas, but has made peculiarly his own the history of the expanding influences of Hellenism in Orient and Occident. His *Greek Life and Thought* sketched the history of the confused period during which the empire of Alexander, representing the principle of despotism infused with Hellenism, falls into ruins and is slowly absorbed by the empire of the Romans, representing the principle of independent self-government infused with Hellenism. During the convulsions of this chaotic period the history of the Ptolemies, especially after the first four reigns, hardly emerges from a safe obscurity. Egypt lies on the outer edge of the political maelstrom. It is not powerful enough or distinctive enough as a nation to influence the greater destinies. It can only watch their evolution and become the appanage of the finally greatest. In the brief sketches of the Ptolemies interspersed among the larger outlines of the *Greek Life and Thought*, Professor Mahaffy has already shown a predilection for this great family, and a tendency to tone down the dark colors of hostile criticism. He now subjects to more concentrated light the dynasty by itself, in the somewhat monotonous sequence of arithmetical succession, from Ptolemy I. to Ptolemy XVI. The attempt had not before been made, in its entirety, unless in encyclopedic monographs like that of Cless in the old Pauly. Here the material of the sources had been laboriously and ably compiled, but not fully weighed and sifted. Moreover, whatever fresh light can as yet be shed on the subject from excavations and explorations in Egypt, Professor Mahaffy is well able to control, both directly and indirectly, while as master of the secrets of the Egyptian *papyri* he is in position to make independent contributions.

He has really no predecessor in this particular field. Thirlwall's history closes with the destruction of Corinth. Droysen's monumental *Geschichte des Hellenismus* closes with the *Epigoni* at about the same time. Grote only glances at the careers of some of the *Diadochi*. Niese's able *Geschichte der griechischen und makedonischen Staaten*, of which only the first part has as yet appeared, does not pass beyond the *Diadochi*. From the fourth volume of Holm's brilliant *Griechische Geschichte* a brief history of the Ptolemies might be culled, as from Mahaffy's *Greek Life and Thought*, which appeared seven years earlier, but in both the distinctive outlines of the Egyptian dynasty are necessarily obscured by the larger careers of the more dominant and active powers. The attempt at separate and consecutive delineation was well worth the making, especially by one so well qualified to do it as Professor Mahaffy.

Now that he has made it, in a stately volume of 500 pages, one can hardly repress a feeling of disappointment, clearly felt by the author himself also, that the net gain to the subject is on the whole so small. This, however, is not the fault of the author. He has done all that can

now be done. He has sifted anew the old fragmentary testimonies, he has presented new points of view in various controverted questions, he has added all the information to be had from newly discovered *papyri*, and he has subjected formerly known Ptolemaic inscriptions to fresh inspection. He publishes in full, with helpful notes and suggestions, the decrees of Canopus and Memphis (the Sān and Rosetta stones). To a grateful extent his book contains its own apparatus, and is not cumbered with useless references to inaccessible authors.

The book is thoroughly scientific in its careful estimate of sources. Neither Polybius with his dignity and weight, nor Plutarch with his grace and charm, are admitted to testimony without scrutiny of their natural bias. As specimen of new points of view in old controversies, the suggestion as to the assumption of the title of *Soter* by Ptolemy I. is worthy of note. "I therefore suggest that Pausanias was more nearly right than we have supposed, and that the title *Soter* may have been given at the time of the siege of Rhodes, not by the Rhodians, but by the Alexandrians to their king. They knew perfectly that he had risked but very little to help the island-city, and was now receiving extravagant thanks. They may have called him *Soter* satirically, owing to the great fuss made about a very lukewarm support" (p. 111). The new light obtained from the *papyri* is welcome but scanty. With hardly more than one exception it relates to the monotonous internal administration of a highly organized bureaucracy. The extent of the Ptolemaic nomes (p. 80), the fact that Ptolemaic law permitted imprisonment for debt (p. 149), the absorption by the dynasty of tax-imposts once ceded to the priests (p. 311), the legal business of the natives (p. 416) "pointing to the fact that law and order prevailed and that the rights of property were not disturbed," are deductions of average importance. Of wider range are the revelations as to the extension and irrigation of the lake province (pp. 172 f.). But almost no testimony regarding public affairs is given by *papyri*.

Dealing now with general impressions produced by the book, it may be noted that Ptolemy I. gains under the author's treatment, at the expense of his much more lauded son and grandson. More than the usual credit for the later glory and power of the Alexandrian Museum and Library is given to the sturdy old warrior and founder, and less than usual to Philadelphus. On the other hand, the achievements of the latter in internal administration gain in importance and extent, especially from the new evidence of the *papyri*. "There are indeed few kings, Hellenistic or other, who have left more enduring evidences of useful administration to posterity than the second Ptolemy" (p. 186). The third Ptolemy (Euergetes) remains the same enigmatical character as ever, in spite of all the author's fresh efforts. "Though we can thus give some details concerning a single isolated province in the reign of Euergetes, we are still left in darkness concerning the king himself" (p. 215).

In dealing with the long succession of Ptolemies from IV. to IX. inclusive, Professor Mahaffy succeeds admirably in preventing the dull uniformity



of badness and cruelty from obscuring all individual traits. In his treatment of the worst members of the line, — Ptolemy IV. and IX., — the author's efforts become distinctly apologetic. Certain passages in the book (pp. 147, 180) lead one to think that this apologetic tone has been taken in opposition to the merciless railleries of Holm. Holm can see no good even in the great Philadelphus. In Philopator (Ptol. IV.) and Physkon (Ptol. IX.) he sees the greatest monsters of depravity and incapacity. In their defence Mahaffy gently urges the evidence of the *papyri* to the regular internal economy of their kingdoms, and the evidence of the ruins to the fact that they were great temple-builders (pp. 272, 385 f.). It is true that the worse the Ptolemies became, the more temples they built. But it is one of the great fruits of Professor Mahaffy's present work that the reason for this apparent anomaly is now more clearly seen. As the Ptolemies withdrew from participation in imperial undertakings, and as their sway became more and more confined to Egypt proper, — a change which began with Philopator (Ptol. IV.) and culminated under Epiphanes (Ptol. V.), — there was less and less need of Hellenic mercenaries, less reliance to be placed on the Hellenistic capital Alexandria, and more and more need of native support. This was secured by standing bargains with the priesthood. Internal regularity of official machinery and great building activity simply denote the price which the monarchs paid the priesthood for being allowed to retain royal power. Under the first Ptolemies the revenues had been largely expended on imperial conquests, on Hellenic mercenaries, and Hellenic institutions of culture. The native population groaned under the burden, became restive, and at last revolted under the leadership of the priesthood. The weaker Ptolemies compromised with their subjects on the principle of Egyptian revenue for Egyptian religion. They abandoned much of their Hellenism, and became Egyptian, at least far enough to be allowed to receive and consume Egyptian revenue.

And yet it is well to remember, as Professor Mahaffy again and again reminds us, that the main literary sources for our knowledge of the Ptolemies are Greek, and partial to the Greek or Roman leaders with whom the Ptolemies came into contact. And it is doubtful whether any large material will ever be added to our literary sources for the history of the later members of this great family. They had no political history, only family intrigues for the retention of a dominion which had come to be managed as a family estate. They had long ceased to play for imperial power. They were content to collect and enjoy their revenues. They merely kept the machinery of taxation intact for their Roman heirs.

As the legitimate Ptolemaic line fades out amid family feuds and murders, and expires with Ptolemy XII., while the great Roman power is only waiting the proper time for openly appropriating the riches it had long secretly enjoyed, the apologist can single out only one figure — that of Lathyrus (Ptol. X.) — for scanty praise. "He is one of the series whom we should willingly know better, and whose virtues should be insisted

upon in the face of those who brand the whole dynasty as steeped in vice and crime" (p. 424). Then comes the bastard Auletes (Ptol. XIII.), "the most idle and worthless of the Ptolemies," Rome's puppet; and after him the Cleopatra of Cæsar and Antony, in whom flashed up once more the native vigor and ability of the line, even to the extent of planning an Oriental empire which should cope with Rome. For her, too, Mahaffy would fain say the best that can be said, and better than has yet been said. Here, too, and with right, he insists anew upon the fact that Cleopatra VI. is known to us only from sources inimical to her. Here, too, with less force, he reminds us that she was a great temple-builder. She, too, left treasures untold, and perfect machinery for amassing more. Even Augustus, when he had taken her property as his own, found no "abuses to rectify, or antiquated arrangements to annul."

Perhaps the closing sentence will illustrate better than further comment the general tendency, and, in the main, the successful achievement of the book: "Thus it may be that the recorded vices of the Ptolemies have so obscured their better qualities as to produce a picture permanently darkened, and which we can hardly hope to clear of its ugly shadows. But the achievements of that dynasty cannot be set aside. They were the ablest, the most successful, and therefore the most enduring of all the successors of Alexander."

In their estimate of the first Ptolemy, historians, even the most censorious, have been substantially of one mind. His figure, in consequence of Professor Mahaffy's fresh contributions, towers more imposing than ever at the head of his long line, unsurpassed, unmatched. The reader gladly turns from the last of the line to the first, and realizes anew the transcendent ability that could found in a conquered land a royal line to endure, in spite of its degeneracies, for two centuries.

B. PERPIN.

*Ueber die Leges Edwardi Confessoris.* Von F. LIEBERMANN.  
(Halle: Niemeyer. 1896. Pp. vii, 139.)

DR. LIEBERMANN'S masterly monographs on the various law-books of the Anglo-Norman period follow each other in rapid succession. The *Consiliatio Cnuti*, the *Instituta Cnuti*, the *Quadripartitus*, the *Leges Anglorum*, *Pseudo-Cnuts Constitutiones de Foresta*, and the *Leges Edwardi Confessoris* are all models of critical historical research. Dr. Liebermann is gradually restoring to us the legal literature of the twelfth century; to use Professor Maitland's apt citation, "lagam Edwardi nobis reddit."

Of the seven law-books which have come down to us from the century following the Norman Conquest, the so-called *Leges Edwardi Confessoris* ranks in importance next to the *Leges Henrici Primi*. The work was compiled about the year 1130. Like most of the law-books of Henry I.'s time, it was written by a foreigner, by some one not well acquainted with the English language. His Latin has a Gallic tinge. Probably he was an

ecclesiastic who migrated to England from Normandy or North France. The writer's aim was to give an account of those parts of the English constitution which had survived from the Anglo-Saxon period; for, as Dr. Liebermann points out, in the twelfth century "leges" often meant "law and constitution." The treatise before us contains many observations on the origin and development of English institutions, but some of these observations are based on insufficient knowledge. Dr. Liebermann carefully tests the accuracy of all these statements regarding the history of institutions, and this part of his work is of great value. He really examines all the more important features of the constitutional and legal development of England in the eleventh and twelfth centuries. Separate chapters are devoted to the church, royalty, classes of society, territorial districts, courts of law, and criminal procedure; and much light is thrown upon these subjects.

It would require much space to indicate all the interesting points presented within the limits of this brief monograph. The one which will perhaps attract most attention is Dr. Liebermann's theory regarding the origin of the frank-pledge system (pp. 78-81, 113). He believes that *freoborg* was the Anglo-Saxon name of this institution; that the word meant originally not peace-pledge but free-pledge, the suretyship of freemen; that the suretyship group or tithing originated in the latter part of the Anglo-Saxon period, and was based upon the obligation of the *magth* to act as pledges for kinsmen; and that the responsibility of the hundred for murder was probably established by William the Conqueror in imitation of the frank-pledge system. Dr. Liebermann's views on this subject are worthy of careful consideration, but his arguments do not seem to be convincing. It appears more reasonable to suppose that the responsibility of the tithing, the hundred, and the neighboring townships was definitely organized by the strong hand of William the Conqueror, though doubtless crude germs of all these artificial arrangements may be found in the Anglo-Saxon period.

CHARLES GROSS.

*The Constitutional History and Constitution of the Church of England.* Translated from the German of FELIX MAKOWER, Barrister, of Berlin. (New York: Macmillan and Co. 1895. Pp. x, 545.)

THIS is another addition to the debt of obligation which England owes to foreigners for their investigation and study of her early history and records. Makower is the first, however, we believe, to give special attention to ecclesiastical history, though the names of Schmid, Gneist, Riess, Liebermann, Vinogradoff, Bigelow, and Gross are well known for their valuable work in the study of constitutional development. The importance of the Church and of its constitutional history, in England, and its close connection with the general constitutional development of the

realm, are, or ought to be, sufficiently apparent, but have not always been clearly recognized and distinctly stated. It is, however, an important fact that the organization and unity of the Church antedated by a century and a half the unity of political organization, with which it maintained the closest connection; and though again and again the political unity was threatened, and even actually broken, during the Anglo-Saxon period, the unity and organization of the Church, under the archbishopric of Canterbury, remained firm and unshaken. Though its connection with the state was not so close from the time of the Conquest down to the Reformation, its influence is very great in that period, and even greater during the reigns of the Tudors and of the Stuarts. It is rarely realized to what extent Henry VIII. and Elizabeth owed to the Church the power and exercise of their high prerogative. Even to-day the existence of an established Church, whose chief officers owe their position to government appointment, and who occupy seats in the House of Lords, gives to ecclesiastical affairs a large, if not undue, place among affairs of state and of politics. In the case of individuals in the Church, this importance is intensified rather than diminished. Not only all through the Middle Ages did ecclesiastics hold the highest positions in government, but special instances of exceptional influence and importance may be noted. Dunstan, in the reign of Edgar; Lanfranc, under William; Roger of Salisbury, under Henry I.; Becket and Glanvil, under Henry II.; Hugh of Lincoln, under Richard I.; Hubert Walter and Stephen Langton, under John; Wolsey and Cranmer, under Henry VIII.; and Laud, under Charles I., are only a few who have made the influence of the Church effective in the development of the political constitution.

The book before us treats mainly of the ecclesiastical side, however, without dwelling at great length on these connections and influences. It enters at once into the subject without preface or introduction. The table of contents, furnishing a clear and concise analysis, shows a division into five parts, which are entitled: History of the Constitution of the Church; Sources of Ecclesiastical Law; Relations of the Church of England to other Christian Churches; The Clergy and their Orders; The Several Authorities in the Church.

The first part gives a fairly good summary of the history, divided, by the Conquest and by the Reformation, into three distinct periods, and includes a consideration of Scotland, Ireland, the Colonies, and the United States. The second part treats of the general sources of the Law, including the Prayer Book and Articles. The third part considers the relation of the reformed Church of England to the pre-reformation Church, and to other modern churches, and the procedure against heretics. The fourth part considers the clergy in general, — bishops, priests, and deacons, — their participation in parliament, and the history of celibacy. The fifth part treats of the King, and the various other civil authorities since the Reformation; of the archbishops and bishops, and their representatives and assistants; of the chapters, churchwardens, societies, minor officers, synods,

and courts. At the end of the book is an appendix, containing some fifteen of the most important documents, printed in full or in part; a general view of the literature of the subject, carefully arranged and classified; and a chronological table of the kings, with day of beginning and of ending of the reign of each. A good index also is given.

The work is almost altogether a study from the sources, and the very full and numerous quotations therefrom, given in extensive notes, and often occupying nearly the whole page, add greatly to the value of a scholarly, straightforward, and judicious presentation of the subject, remarkably accurate in details. The first and fifth parts are the largest and most important, although the third is very interesting and is calculated to excite the most discussion, largely on sentimental grounds. Altogether the work forms a substantial and somewhat bulky octavo of over five hundred pages, and if it had been published in a form worthy of it would be much more serviceable. But the type is of a peculiar and very trying form, the notes being almost entirely in italics, the margins are exceedingly narrow, and, though the covers are of strong cloth, the book is so loosely put together that it loses its shape before a first reading is concluded.

The historical treatment in the first part serves by way of general introduction, is well done, brings out the important points, and notes clearly their bearings and relations. Frequent cross-references here, and throughout the work, serve to connect the various parts together, but it would have been less confusing if the whole topic, in each instance, could have been treated fully and completely, in one place, under one head.

In the third part, entitled, Relations of the Church of England to other Christian Churches, the author touches upon one of the most important and most controverted topics connected with the whole constitutional history of the Church. He first considers the relation of the reformed Church to the Church before the Reformation. It is frequently maintained that there was an uninterrupted connection with the past, and that no material difference exists. In opposition to this, our author declares: first, that "according to constitutional law before the Reformation the state was not entitled to issue ordinances upon purely ecclesiastical matters, the exclusive right of the Church not being contested." Furthermore, "the power of the pope to govern and make rules had been recognized for centuries by decisive acts of the state, and though England had in 1366 shaken off the yoke of the universal temporal monarchy with respect to spiritual affairs she had still remained subject to the universal domination of Rome." The change made by the renouncing all papal authority is compared to "the declaration by a federal state that it would no longer obey the ordinances of the central power." "A whole series of smaller breaches of contract" may be pointed out. Attention also is called to the fact that while under Henry VIII. and Edward VI. the government took pains to provide for assent by Convocation, "in Elizabeth's reign, the revival of the most important reforming laws, and especially the introduction once more of the royal supremacy and of the reformed prayer-book, took place by the sole act

of the civil powers, Convocation being either not consulted or expressly hostile to the measures adopted." A further alteration of the constitution of the Church was involved in "the abolition of papal authority in England and in the transference of the rights of government to the English sovereign." "For the peculiarity of the Romish Church lay in the existence of a central power outside the various nations, a power which claimed to stand above them. Now the Reformation in eradicating this element and declaring all ecclesiastical interference from without to be inadmissible, must be regarded as having produced a fundamental change in the constitution of the Church." These are strong arguments clearly and forcibly put, but they hardly justify the author in speaking of "this untenable doctrine of continuous development." It may be said that the changes mentioned in the first argument are not necessarily enough to destroy the identity of the Church even if constitutionally forced upon it. In answer to the second, the casting off of the papal authority did not change the constitution of the Church so as to destroy its identity any more than did the taking on of that authority. The discussion is largely a dispute as to the meaning of terms, and identity of organism is difficult to define; but it may fairly be maintained that in view of the slow and conservative character of the English Reformation, the preservation of that episcopal government which antedated the papacy, and the continuance of the rights of property without a break, the English Church did retain enough to insure its continuity and identity, whatever, and however great, the changes which were introduced.

In considering the relation of the reformed Church of England to other churches, emphasis is very rightly laid on Article 34, acknowledging the existence and rights of other national churches. This article implies two things: first, that each nation has a right to the management of its own religious and ecclesiastical affairs, and, secondly, that there should be religious and ecclesiastical unity within each nation. Unfortunately, the English Church has been unable to realize either of these views. Neither has she unity within her own nation, nor does she acknowledge the national churches of other nations. The tendency at present is to recognize only such churches as have episcopal constitutions, and continuity by succession. "By this distinction," it is rightly and forcibly said, "a certain outward form of the Church is pronounced essential, whilst what is of main import, its doctrine, is left unregarded. . . . Though the episcopal is the recognized constitution of the Church of England, it cannot even be conceded that that constitution is regarded in the fundamental formularies of the English Church as the essential one of every Christian Church." "In the introduction to the form of ordination . . . it is not contended there that the Bible prescribes an episcopal constitution. Nor does the profession of belief known as the thirty-nine articles contain the doctrine of the divine institution of Episcopacy." This is strictly true, and in accordance with the conclusions of Hooker, who declared distinctly, in his argument against the Puritans, that any form of church government



is not of immutable and divine right. Attention is very properly called to the fact that "during the reign of Elizabeth and of James I., the clergy of non-episcopal churches outside England were, in the opinion of the day, accounted regularly ordained priests." "In Elizabeth's days, clergy officiated in the Church of England who had not been ordained by bishops." "However, the act of uniformity of Charles II. . . . forbids, within the established Church of England, any person to be admitted to a benefice who has not received ordination from a bishop. That is still the law of the land."

Another interesting topic, with the consideration of which we must close this review, is found on pages 394 f., and relates to the participation of ecclesiastical persons in the temporal courts. Our author here follows the lead of Stubbs and others, in declaring that after the Conquest "the old hundred-moots fell into decay. The judicial powers of the shire-moots were lost by degrees,—except in minor cases,—to the royal courts. Except in so far as jurisdiction passed to the King's supreme court, for the old meetings of the shire court were substituted the assizes held in the shire by itinerant judges sent there from the court. These assizes became more and more general from Henry II.'s time onward." This is the usual view of these courts but is not presented by Stubbs or by Bigelow except with many questionings and qualifications, and it is difficult to see how it can be harmonized with the facts that while Henry I. ordered the courts to be held as they had been in the time of Edward the Confessor, the hundred court every four weeks, and the shire court twice a year, by the time of Henry III. (probably in the reign of Henry II., when the sheriff's tourn seems to have been instituted) they had come to be held much oftener, the hundred court every two or three weeks, and the shire court every month. This greater frequency surely seems to imply greater importance and a larger amount of business. Whatever may be said in regard to the regularity and importance of the assizes of the justices itinerant, a close examination of the Assize Rolls, in the Record Office at London, for the reign of Henry III., the first which are at all complete, has failed to show that they were held in any county oftener than once in four years, more generally once in seven; and sometimes a period of from twelve to fourteen years apparently elapsed between them. The fact is, as I hope to show in another place, that a careful study of the functions and procedure of these local courts furnishes evidence of their increased importance in the practical settlement of many cases, and in the preliminary hearing and preparation of others for the final settlement by the itinerant justices.

In the Anglo-Saxon period the bishop was one of the presiding officers of the shire, and possibly also of the hundred court, and the earlier notices of the suitors from the vill name the priest, together with the reeve and four best men, but by William's ordinance of separation the bishop was forbidden to hold pleas in the hundred, and the priest disappears by the close of the twelfth century.

In regard to the trial of ecclesiastical persons, "it was recognized for the first time in Stephen's charter of 1136, that spiritual persons, including inferior clerks, should be amenable only to ecclesiastical courts." These concessions Henry II. refused to ratify, and desired to go back to the earlier customs of Henry I. and William. Hence the struggle with Becket over the Constitutions of Clarendon. Out of this privilege arose 'benefit of clergy,' extended to all persons who could read, and then, under James I., given to women, when it came to mean a mere mitigation of punishment (usually the death penalty) in certain cases called 'clergyable offences.'

The work concludes with a valuable presentation of the condition of the Church at the present time, showing how the ecclesiastical courts have gradually, in the present century, lost most of their competence in civil cases until it has been finally abolished in regard to all important matters. The present courts with their names and functions are briefly but accurately described.

CHARLES L. WELLS

*History of England under Henry the Fourth.* By JAMES HAMILTON WYLIE, M.A. Vol. III., 1407-1410. (London and New York: Longmans, Green and Co. 1896. Pp. xi, 482.)

MR. WYLIE'S work has grown under his hand in a way with which we can all sympathize, even though we may demur. When the first volume was published, it was announced as one of two volumes; the second, when it appeared, was prefaced by the statement that a third would be necessary; and now in the third we have the same announcement for an additional fourth volume. This third instalment covers the years from 1407 to 1410, inclusive, recounting the progress of the great Schism, of the war between England and France, and of the Lollard agitation; the actions of the king, the council, and parliament during these years; with special chapters on the gilds, and the Hussite quarrels at Prague. More than in either of the preceding volumes is one impressed with the fact that the length of the work is somewhat disproportionate to the importance of its subject; and yet it is by no means immediately apparent how this is so. Few, if any, of the usual evidences of "padding" are visible. The matter of which the book is composed is solid information; it is drawn from original sources; it is to a great extent new. Moreover, the work has excellences that are even more unusual than these. It is broad in its interests. Matters of state and matters of church, events in the political and military, in the economic and social world, are given in great detail. Again, in contrast with most English histories written by Englishmen, it is quite free from insular narrowness. The affairs of the Continent are described wherever they touch the interests of England, and are discussed for their own sake as well as for the sake of that connection. Especially in this third volume, the great Schism and the attempts to close it, the intrigues of the French political parties headed by the dukes of Burgundy and Orleans,

and the Bohemian religious struggles are given an attention almost disproportionate to that bestowed on more purely English affairs. Of the latter it is hard to pick out any special subjects as those on which Mr. Wylie has given the most light. Perhaps the account of archbishop Arundel's efforts to crush out the recrudescing Lollardism of Oxford, and the description of the gilds are of the most considerable originality and significance. His method gives an impression rather of fulness of detail than of added clearness.

In fact, it is just here that we are most inclined to criticise the work adversely. It is rather a cyclopædia of historic facts, names, and dates, during the period from 1399 to 1410, than a real history of that period. In the first place, history should involve a selection of facts, not an inclusion of all possible facts. For instance, in one paragraph, on pages 317 and 318, seventeen names are casually mentioned as places where the king stayed successively between April 3, 1410, and the end of the year; the naming of each of these places necessitating separate and frequently multiple references, mostly to the patent and close rolls. Again, a description of the bitter weather during the campaign of Bramham Moor leads to more than two pages of references to the similar severity of the weather in ten or twelve different countries of Europe. This fondness for purely antiquarian lore shows itself especially in the footnotes. Over and over again we have masses of genealogical detail about obscure individuals, references to a dozen different ways of spelling unimportant proper names, lists of brasses in churches where a certain type of ladies' head-dress can be seen, quotations from contemporary writers mentioning peculiar musical instruments, or garments, or stuffs, or weapons, or foods. It is this that accounts largely for the overgrown footnotes, which fill on the average through the volume nearly, if not quite, one-half of each page. The books and documents referred to are not unworthy sources. They are in almost all cases contemporary and reasonably trustworthy; but the thousand and one details to which these references are given are, relatively speaking, insignificant and inapposite, so that their inclusion leads not to a clearer and stronger impression, but to turgidity and an appearance of pedantry. A serious author is bound to make it possible for a student to follow the road he has gone among his authorities; he is not bound, indeed he is bound not to record every step of his way, nor to reproduce all the contents of his note-books.

Secondly, the main stream of an historical narrative ought certainly to flow in refined literary language. Mr. Wylie has made this impossible for himself by his habit of constant quotation of single words or expressions, used, it is true, at the time or in the documents from which he is drawing, but neither understood, admired, nor acknowledged in modern English. For instance, in his discussion of the religious gilds he says: "They were in fact the average work-a-day Englishman's answer to profanity and sacrilege, and for every impious misbeliever who ate the consecrated bread with onions and oysters for supper, or cropped off the nose of a Blessed Virgin

in a church, or hacked up an old St. Catherine for fuel to seethe his worts, thousands of honest souls, not especially devout or pious, joined the gilds in practical protest against the misty and unsavoury cobwebs of the Wycliffists and Lollers." "The brethren did not put in their weekly shot merely to dole groats to pittancers, or help the bedrid and brokelegged, or find poor scholars to school, or dower poor girls, or burn their soul-candles around the corpse of a dead brother, or follow at his forthbringing and 'terment." Or when he describes Oxford: "So Solomon studied with his cup and his strumpets, and romped with hawks and hounds and revel; and Oxford, which had shown such promise in her youth, was now sinking into idleness and womb-joy, and doddering in a dishonoured dotage of stagnation and decay." Mere contemporary slang or peculiarity of expression adds nothing to our knowledge of the period. There is no excuse for obscuring the narrative and overburdening the footnotes with mere philological variation or oddity.

The third criticism we have to make, the lack of continuity of the narrative, flows directly from the first two. It is impossible, with the mass of detail in text and reference, much of it archaeological rather than historical, and with the constant sacrifice of normal form to unusual expressions, to obtain a narrative the parts of which fall together in the reader's mind so as to make a completed whole. The impression, as has been said before, is rather that of an encyclopædia than of history. And these characteristics have shown a progressive increase throughout the work, as will be found, for instance, by comparing the account of the Lollard movement in the first volume with the continued discussion of the same subject in the third.

It is true that all these objections are to the form rather than to the substance of the book. Yet they are none the less legitimate. The problem is why this history of an important and hitherto insufficiently known period, written with learning, with critical ability, and with a full use of all available sources, is yet practically unreadable. The solution is to be found in the characteristics mentioned above. The reader has a right to be provided with the results of the historian's study in such a form that they can be read continuously and calmly, with a ready appreciation of the course of events and the influence of institutions. It is respectfully submitted that our usual human limitations make this impossible in the book under review. It is, however, a most useful storehouse of facts which will be made more available when the index is published in the next volume.

A protest might fairly be entered against the price which the publishers ask for the work. From \$3.50 to \$5.00 per volume, the volume being a moderate-sized duodecimo, without illustrations, extra quality of paper or binding, or other source of unusual expense, seems to be a charge so unreasonable and so far beyond the usual prices of books on history as almost to make an American scholar waver in his loyalty to international copyright.

EDWARD P. CHEYNEY.

*John Cabot, the Discoverer of North America, and Sebastian his Son.* A Chapter of the Maritime History of England under the Tudors, 1496-1557. By HENRY HARRISSE. (London: B. F. Stevens. 1896. Pp. xi, 503.)

THOUGH M. Harrisse published, some years ago, a large volume, in French, on the Cabots, this new work is really a *new* one rather than a second edition. In fact, the author produces so many documents, unknown before, that we may say without exaggeration that the events relating to the Cabots' expeditions are now first elucidated.

Many historians have written on the same subject, specially since the year 1843, when the famous Cabot's planisphere was discovered. Some believed that this important document would bring a great increase of geographical knowledge; but it is now generally admitted that this has not been the case, as this chart was so imperfectly executed. Nevertheless, it has raised up a new question, interesting for Americans, and specially Canadians: "Did John Cabot make land on the northeastern coast of Cape Breton in 1497?" M. Harrisse deals at length with this question, and he leaves no issue to those who argue that the landfall was here.

The following analysis of M. Harrisse's work will render justice to the author and to his heroes. John Cabot, the discoverer of the American continent, was not a Venetian by birth, as some writers say, but a Genoese. In fact, he had been naturalized as a Venetian, in consequence of a residence of fifteen years, by a unanimous vote of the Senate of Venice, on the 28th of March, 1476. Some writers presume that he was born at Castiglione, in Liguria, others say Chioggia, one of the lagoon islands, but these two assertions are based upon documents of no value. Dr. Puebla, the ambassador of Ferdinand and Isabella to England, also Pedro de Ayala, Puebla's adjunct in the embassy, write that Cabot was a Genoese by birth.

John Cabot was married to a Venetian woman, who followed him to England, and we find it recorded that on the 27th of August, 1497, she was living at Bristol, England, with her children, Lewis, Sebastian, and Sanctus. At that time they were apparently all of age, Sebastian having attained at least the age of twenty-three. Sebastian, therefore, was born in 1474. According to certain English biographers, Sebastian Cabot's native place was in England; this statement carries but little weight, as it seems pretty sure that he was born in Venice. When his father obtained Venetian nationality, in 1476, as already stated, in consequence of a constant residence of fifteen years in Venice, Sebastian must have then been not less than two years old. Many authors say that he was a Venetian, specially Ramusio, Andrea Navagero, Contarini, Oviedo, Peter Martyr, etc.

We are inclined to believe that John Cabot removed from Venice to England in 1490, and previously he visited Portugal and Spain to obtain royal aid to undertake transatlantic discoveries, and also visited Mecca, where he met caravans bringing spice from afar; believing in the sphericity

of the earth, he inferred from their reply that it came originally from the West, whence his project of finding a maritime and shorter route to Cathay.

In the year 1496, Cabot obtained letters-patent from Henry VII. for a voyage of discovery westward. He left Bristol in the beginning of May, 1497, on a small ship called the *Matthew*, manned by eighteen men. When the vessel had reached the west coast of Ireland, it sailed towards the north, then to the west for seven hundred leagues, and reached the mainland. He then sailed along the coast three hundred leagues. Returning to Bristol, Cabot saw two islands to starboard. This is the summary of his first voyage.

Some doubts exist about the date and the place of Cabot's landfall. As to the year, though we find on Sebastian Cabot's planisphere an inscription which sets forth the year 1494, it is generally admitted that it was in 1497. The date, July 24, which appears on the said map, ought to be rejected likewise, as being impossible.

As to Cabot's landfall, we can only presume, but with great probability, that it was on some point of the northeast coast of Labrador. No graphic data on the subject are to be found until forty-seven years after the event (1544), and it is again in the Cabotian planisphere, where, on the extremity of a large peninsula, which we now call Cape Breton Island, we read these words: *Prima tierra vista* — the first land seen. This alleged landfall is not less than five degrees farther south than the landfall must have been in reality. All the cosmographers and chart-makers of Charles V., though supplied directly by Sebastian Cabot in his quality of Pilot-Major, supervisor of the Chair of Cosmography in the *Casa de Contratacion*, and member of the Commission of pilots and geographers, located the first transatlantic discoveries accomplished under the British flag along the region then called Labrador.

The delineations of the Gulf of St. Lawrence and the adjoining country depicted in the Cabotian planisphere, have no other origin than the French maps which were constructed in Dieppe after the second or third voyage of Jacques Cartier, and especially the map of Nicolas Desliens (1541). It follows from this last assertion that all the configurations of the islands in the Gulf of St. Lawrence near or about Cape Breton, Nova Scotia, and New Brunswick, in Sebastian's planisphere, have and can have no other origin than the cartographical data collected by Jacques Cartier or his pilots. It also follows that Cabot's "Isla de S. Juan," which he claims to have discovered on the 24th of June, 1494 (1497), is only one of the small islands of a group first found and depicted by the French navigator, and named by him "the Isles of sand," the configurations of which Cabot has borrowed wholly from the Cartierian prototype used by Nicolas Desliens for his map of 1541.

The conclusion to be drawn from our analysis is that Sebastian Cabot's statements as regards the first landfall on the continent of North America, are in absolute contradiction to the legends and delineations of the plani-



sphere of 1544, and that these, in their turn, are based entirely on the discoveries made by Jacques Cartier in 1534 and 1536, and not at all on Cabot's. If in connection with these facts, we recollect that for forty-four years previous to the making of his planisphere, all the maps locate the first English discoveries ten degrees farther north; and that disinterested witnesses testify to having heard Cabot declare that he sailed westward without alluding to a change southward, we feel constrained to place his *prima tierra vista*, in 1497, beyond  $51^{\circ} 15'$  north latitude.

What then could be Sebastian's object in placing at the southern entrance of the Gulf of St. Lawrence a landfall which for so many years previous had rightly figured in all charts and portolani, as on the north-eastern coast of Labrador? Was it his personal interest to do so, and have we any reason to consider him as capable of making wilfully untruthful statements? These grave questions require the critic to examine the real character of Sebastian Cabot.

Cabot was a man capable of disguising the truth, whenever it was to his interest to do so. In some accounts given personally of the first voyage which was undertaken by his father, Sebastian Cabot sometimes makes no mention whatever of his father, or he says that his father was only a sort of itinerant merchant, who had come to England solely to sell his goods. We remark that in many instances he contradicts himself and makes erroneous statements and anachronisms.

After his return to Bristol early in August, 1497, John Cabot applied for new letters-patent, which were granted on the 3d of February, 1498. There is no ground for the assertion that John Cabot did not command this second expedition. Pasqualigo and Soncino specify him and no one else, as the person to whom Henry VII. intended to entrust the fleet. Cabot sailed after April 1, 1498. Where and how far did he go? In the chart of Juan de la Cosa drawn in the year 1500, we find the approximative result of his explorations, as far as a region south of the Carolinas. The pretended third transatlantic voyage of Sebastian Cabot under the British flag is only an inference drawn exclusively, and gratuitously, from a remark reported by Stow, who relates that during 1498 Sebastian brought three savages to England. But this testimony is contradicted by documents.

There is no further mention of Sebastian Cabot in any document until ten years after his alleged third transatlantic expedition. It is impossible to find any allusion to voyages undertaken during that time, except a pretended expedition to Brazil, in 1504, but of which there are no traces. He left England after the death of Henry VII. (1509), and came to Spain, where, placing himself at the disposition of King Ferdinand, he gave information on the subject of Bacalaos, or Codfish Country. On October 20, 1512, he was appointed naval captain, and established his residence at Seville. On November 13, 1515, we see Cabot among cosmographers called to ascertain whether the line of demarcation between Spain and Portugal should pass by Cape St. Augustine. In 1518, he was appointed Pilot-Major in the place of Juan Dias de Solis, who had been killed by the

Indians in the Rio de la Plata. The possibility of Cabot having joined an English expedition between 1516 and 1517, at first sight not inadmissible, disappears before the study of the first Atlantic navigations. This voyage of Cabot is a pure hypothesis.

Cabot was in Spain during the years 1522, 1523, and 1524. In 1522, he was intriguing with the Venetian Republic for the purpose of revealing a secret on which depended the future greatness of the Republic. But the project was relinquished, owing probably to a refusal on the part of Spain to grant the necessary leave. About the year 1524, Cabot was appointed leader of an expedition to the Moluccas. Meanwhile he was confirmed in the post of Pilot-Major of Spain. The expedition sailed on the 3d of April, 1526, "to the discovery of the islands of Tharsis, Ophir, and Eastern Cathay," by way of the Strait of Magellan. The landfall on the American continent was effected at the end of June, and somewhat to the north of Pernambuco, where the fleet was detained till the last week of September. Going south, Cabot explored the South American continent till he entered the estuary of the Rio de la Plata, then called Rio de Solis. Cabot seems to have spent the winter of 1528-29 at the fort of San Salvador. In the spring, he went to Sancti Spiritus, and thence to San Salvador. Finally he set sail, homeward bound, early in November, 1529.

Cabot was not a professional mariner. Peter Martyr, his countryman, remarks that there were Spaniards who denied that he had ever discovered Newfoundland or even visited those regions. Oviedo considered him as not possessing an adequate knowledge of the regions to which he undertook to lead ships and men, and, in going to the Moluccas, to have assumed a task for which he was not fitted. His contemporaries saw in him only a theorist, but versed in cosmography and cartography. Men of experience and social position placed no confidence in Cabot, whose science they doubted, or cared little for, and who, in their eyes, was evidently nothing but a foreign adventurer, elevated above them merely through intrigues, vain boasts, and fallacious promises.

Immediately upon landing at Seville, he was arrested and sentenced to four years' banishment, the Crown having charged him with having disobeyed the instructions given to him when he set out from Spain to go to the Molucca Islands. After the return of Charles V. to Spain, Cabot resumed his ancient office of Pilot-Major, and constructed a number of planispheres and globes. Cabot enjoyed a high reputation as a man versed in navigation and cosmography. He published several maps and planispheres, which are lost, except the planisphere dated 1544, which must rank as the most imperfect of all the Spanish maps of the sixteenth century which have reached us; it contains the grossest cartographical and geographical errors.

In our opinion, Cabot owed his great reputation, as a scientist, to a supposed profound knowledge of the mariner's compass. Many writers even ascribe to him the discovery of both the declination and the variation of the magnetic needle. In fact, Cabot discovered neither, nor indeed

anything useful or practical relative to the same, his own boasts to that effect notwithstanding. He occupied himself with the problem of finding the longitude at sea, and he boldly asserted that he had discovered its solution, not only by means of the variation of the magnetic needle, but also by the declination of the sun, but both methods are useless and erroneous. The same idea must be entertained of his nautical theories and sailing directions.

In the year 1548, Cabot left Spain, "to serve and inhabit in England," where "he would seem to have exercised a general supervision over the maritime concerns of the country." Being brought in contact with the Merchant Adventurers, Cabot suggested to them the route to Cathay by the northeast, and in the year 1553 an expedition was directed to Cathay, which was unsuccessful. Cabot retired from public life in the winter of 1556-57. London is doubtless the place where he died; but the year of his death is yet unknown. Diligent researches have been instituted in Worcester (where the early Bristol Registers are preserved) and in London, to discover his last will, but in vain, thus far.

Cabot was married to a Spanish girl called Catalina Medrano, who was still living in 1533. When yet living in England, Cabot had a daughter, probably by a first marriage with an Englishwoman. As to his brothers, Sanctus and Lewis, no traces are found of either of them after the year 1497, when they were living at Bristol with their mother. Some families from Normandy and Languedoc claim kinship to Sebastian Cabot. The Cabots de la Fare, in the south of France, set forth, in 1829, their genealogical pretensions before the courts. They strove to establish that Peter Cabot was son of Lewis, son of John, the navigator. Peter Cabot lived in Saint-Paul-la-Coste, and he said in his testament that his descent from John Cabot is duly established. But the aforesaid testament does not exist.

N.-E. DIONNE.

*The Growth of British Policy, An Historical Essay.* By Sir J. R. SEELEY, Litt. D., K.C.M.G., formerly Regius Professor of Modern History in the University of Cambridge. (New York: Macmillan and Co. 1895. Two vols., pp. xxiv, 436, 403.)

*The History of the Foreign Policy of Great Britain.* By MONTAGU BURROWS, Chichele Professor of Modern History in the University of Oxford. (New York: G. P. Putnam's Sons. 1895. Pp. xiv, 372.)

WHAT is Seeley's place among English historians? Is he destined to rank at all among the historical scholars of his generation? Or will he be considered in the future as a brilliant writer and accomplished man of letters whom Fate placed in the chair of history at the University of Cambridge, and who was thus induced to devote his attention to the composition of volumes of history? These are questions naturally suggested by

the posthumous publication of Sir John Seeley's *The Growth of British Policy*. In a few modest pages, Professor G. W. Prothero, of Edinburgh, the recognized representative of scientific historical work at Cambridge for many years, has sketched the uneventful life of Seeley in a memoir prefixed to the work on which he spent the last years of his life. It shows clearly that Seeley had no overpowering attraction for the study of history; his first book was a volume of poems; his first professorship was the chair of Latin at University College, London; and his reputation was made by the publication of *Ecce Homo*, a study of the human side of the life of Christ. When he was appointed to succeed Charles Kingsley as Professor of Modern History at Cambridge, his previous training no more fitted him for the place than his predecessor's historical novels had justified his appointment. He was not a pupil of the great German teachers of history and editors of historical documents, who laid down the canons of historical research and founded the scientific study of history. He professed no sympathy with the patient workers who were investigating the primary authorities, and endeavored to show their pupils how history should be studied and written. The whole bent of his mind was opposed to documentary study. His conception of history was entirely different to that of the scientific school, and Professor Prothero has accurately and clearly pointed out Seeley's views as a teacher and a writer. "Though he did not coin the phrase 'History is past politics, and politics present history,'" says Professor Prothero, "it is perhaps more strictly applicable to his view of history than to that of its author. 'The indispensable thing,' he said, 'for a politician is a knowledge of political economy and of history.' And again, 'Our University must be a great seminary of politicians.' History was, for him, not the history of religion, of art, or society; still less was it a series of biographies; it was the history of the State. The statesman was to be taught his business by studying political history, not with a view to extracting arguments in favor of particular political theories, but in order to understand, by the comparative and historical method, political science, the science of the State" (pp. xii, xiii).

Since such was his attitude, and since his books prove it to have been characteristic and permanent, no surprise need be felt at the indignant denial of Seeley's right to be considered a scientific historian, frequently put forth by adherents of the modern documentary school of writers and teachers. Yet it is necessary to protest against the narrow view that would exclude from the ranks of historians all but the investigators, editors, and critical students of primary authorities. Such an exclusion would bar out the great names of the past like Thucydides and Tacitus, as well as brilliant writers after the manner of Seeley. It may be, and it is, right to deny to them a position among scientific historians, but it would be a disaster for the cause of historical study to reject entirely their claims. *Quot homines, tot sententiae* is a true maxim with regard to history; there may be many ways of endeavoring to arrive at the truth about the past; some ways are typical of certain centuries and certain individuals, but as long as the

intention of the writer and worker is honest, it is unjust for the adherents of any particular school to apply their canons too rigorously, and to arrogate to themselves the right to condemn historians whose methods happen to differ from their own.

Sir John Seeley's last book well illustrates his methods, and will doubtless give opportunity for passing censure upon them. Throughout the two closely printed volumes hardly a single reference is given to authorities. Though dealing with a period bristling with historical controversies, the narrative flows smoothly on with an occasional footnote once in a hundred pages or so, mentioning an obscure magazine article or the place where a document may be found. Occasionally, indeed, secondary historians of note like Gardiner and Philippon are quoted, but, as a rule, statements are made without the slightest attempt to prove their accuracy. It is curious in this respect to compare Seeley's volumes with the works of any standard modern French or German writer, or with such an English writer as Mr. J. H. Wylie, whose third volume on the reign of Henry IV. has just appeared, in which references to authorities often fill half the printed page. And again in its literary style Seeley's last work offends the eye of the strictly scientific writer; for he delights in the use of striking and novel epithets and phrases, which are more apt to convey a false impression or a half truth than is the use of sober language. And lastly evidence is given throughout the book of a desire to lay disproportionate weight upon certain views of the writer; whole pages and whole chapters are written around certain picturesque formulæ which are thus brought out into such prominence as to vitiate the value of the book as history. To some extent Sir John Seeley disarms the severe critic by entitling his book not a history but an historical essay. "By calling it not a history but an essay," he says, "I mean first that it deals not in narrative but in discussion, secondly that it does not aim at completeness" (p. 3). The pity is that only too many untrained readers, relying on Seeley's position as a Professor of History, will regard his statements as proved and authentic, and will refer to his essay as to an authoritative source of knowledge instead of looking upon it as a brilliant contribution to the discussion of certain historical questions.

"The subject of this book," Sir John Seeley states at the beginning of his introduction, "is a particular aspect of our state, namely, that which it wears towards foreign states, during a certain period." Seeley was nothing if not patriotic. To him as a student of national politics the topic of absorbing interest was the growth of the British Empire. His most famous and stimulating historical work is without doubt *The Expansion of England*, and it was in recognition of the service he had done to the state in bringing home to English people a patriotic sense of the greatness and importance of the Empire that Lord Rosebery, when he came into office in 1894, recommended that the Cambridge professor should be knighted and enrolled in the colonial Order of St. Michael and St. George. The two volumes on *The Growth of British Policy* were intended to form the introductory chapters of a larger work dealing with the same

subject. The task Seeley set himself was to investigate the movement of England from the South British monarchy to a world-wide empire. He rightly perceived that the beginning of this movement belonged to the reign of Elizabeth, and the most stimulating and valuable part of his book is the first section discussing the reign of the famous Tudor queen. He accurately notes the importance of the long peace of Elizabeth which preceded the better known war of Elizabeth as the characteristic feature of her reign, and skilfully examines the somewhat intricate policy which enabled her to maintain her country at peace. After examining the reigns of the first Stuarts, Sir John Seeley next discusses the Protectorate of Oliver Cromwell and the Military State, giving perhaps, as is the tendency nowadays, too much credit to Cromwell for carrying out the policy inevitably forced upon him by his position. The reigns of the later Stuarts are then dealt with as a second period of reaction, and the book concludes with a study of William III. and the Commercial State. Throughout its pages the reader will find striking discussions of certain leading topics. Sir John Seeley is not the first writer to notice the importance of the royal marriages in the sixteenth century and the national good fortune which resulted from the unfruitfulness of the marriage of Mary Tudor with Philip of Spain, but few writers on the same field have so strikingly commented upon the subject or upon the value to England of Elizabeth's persistency in refusing to give her hand in marriage. Many writers likewise have dwelt upon the importance of the insular policy, recognizing that the people of the British Islands could not expand beyond the seas until England, Scotland, and Ireland were firmly amalgamated, but few previous writers have so clearly demonstrated the efforts of Cromwell and the success of the Revolution of 1688 in attaining this end. It is by bringing into prominence such points as these and dwelling upon them with the felicity of language natural to him that Sir John Seeley has constructed the most suggestive volumes on English history that have appeared for many years. Though his work may not be considered history in the strictly scientific sense, it is nevertheless a brilliant literary effort and a stimulating historical essay.

By a curious coincidence, Professor Montagu Burrows of Oxford published a volume on *The History of the Foreign Policy of Great Britain* within a few months of the appearance of Sir John Seeley's posthumous work. Professor Burrows has never attained so wide a reputation on both sides of the Atlantic as Seeley, but he has in his time done some useful historical work. He terms his book a history, but as a matter of fact it is far slighter in texture and as devoid of references to authorities as is Seeley's essay. He practically begins where Seeley leaves off, for he passes over foreign policy down to the end of the reign of William III. in the first fifty pages of his book. The slightness of the volume makes it unnecessary to criticise it at any length. Professor Burrows makes no pretence of having undertaken an elaborate or original study, and there is little or nothing in his book that cannot be found elsewhere or that does not naturally suggest itself to the intelligent reader of English history. There



are some small mistakes of fact and some curious statements of opinion that need not be here dilated upon, for they will be discovered at the first glance. It is more gracious to point out one decided merit in Professor Burrows's volume, and that is the attention he pays to naval history. The author served in the English navy for some years and has never forgotten his old profession. This makes him a particularly interesting commentator on naval affairs. The best book he has ever written is his life of that forgotten English worthy, Admiral Lord Hawke, and he shows to the best advantage in dealing with the relation between the commercial policy and the foreign policy of Great Britain as revealed in her treatment of the royal navy and in the course of naval operations. Professor Burrows, like Sir John Seeley, is too much of a patriot to be a very judicial historian, and his history of British foreign policy is in part an apology, but to a greater degree a whole-souled eulogy. In short, it may be said that a reading of Professor Burrows affords a curious contrast to the aggressive Anglophobia which marks the writings of foreign authors upon British foreign and colonial policy, and it is probable that posterity will form a judgment between the two extremes and regard the British statesmen of the eighteenth century neither as greedy grabbers of unconsidered territories nor as unselfish benefactors of the whole human race.

H. MORSE STEPHENS.

*Mémoires de Jean François Thoury*, publiés par CHARLES BOÿ.  
(Paris: Plon, Nourrit et Cie. 1896. Pp. viii, 317.)

WITHIN the last two or three years, several interesting volumes have been published in Paris of memoirs and recollections of those partisans of the *ancien régime*, who left France at different periods during the French Revolution and went into exile on account of their political faith. These émigrés, as they were called, belonged to all ranks of society and were induced to emigrate by very different motives. The majority, however, belonged to the nobility or the clergy, and the privations which they endured in foreign lands seemed all the harder to bear in the light of their former prosperity and social consideration. More than one attempt has been made to write the history of the French émigrés, and Prince Lobanoff is said to have in the press a carefully tabulated list of the names of more than fifteen thousand of them. But the historical works published up to this time and such documents as that just mentioned cannot convey an idea of the real sufferings of the French émigrés with the poignant fidelity of volumes of personal memoirs. In every country in Europe dwelt these unhappy exiles, while their fatherland under the rule of the Republic was inaugurating a new order of things at home and making the name of France glorious upon the battle-field. England, Germany, Italy, and Spain were the chief resorts of the French émigrés; their most famous colony was at Hamburg, but many thousands of them were likewise to be found in London, in Vienna, and in Rome. Most of the memoirs of émigrés recently

published record the lives of noble lords and ladies reduced to dire poverty, but showing, in their gallant efforts to maintain their sad position with dignity and gayety, the truth of the old French proverb *le bon sang ne peut mentir*. Of this character are the memoirs and the correspondence of Madame de Raigecourt, the Comte de Puymaigre, the Chevalier de Mautort, the Baron de Guilhermy, and the Comte de Neuilly. Of a different grade in society was Jean François Thoury, whose memoirs have just been edited by Charles Boÿ. Thoury was not a nobleman or an ecclesiastic, but no member of the privileged classes could have been more bitterly opposed to the Revolution than this humble bourgeois of Châlons-sur-Marne. In a subordinate official capacity at Châlons, he gave full evidence of his royalist proclivities, which, it may be remarked incidentally, separated him from his wife and his wife's family. He describes the passage of the royal family through Châlons on their return from Varennes in 1791 and also gives an interesting account of a mission on which he was sent by his municipality to the victorious general Dumouriez during the campaign of Valmy. But the gist of his memoirs is to be found in the thrilling narrative of his escape from prison during the Reign of Terror, of the perilous adventures through which he passed in order to escape from France, and of his first wanderings as an émigré in Holland and the Rhine country. Finding it impossible to obtain employment or means of subsistence in these parts, Thoury made his way to Russia, and the greater part of his memoirs is taken up with a record of his life as a tutor in the households of certain noble families in the province of Courland. Unlike other French émigrés, Thoury made no attempt to return to France after the Restoration of the Bourbons, though he paid a visit to Paris in 1803 to fetch his daughters. Russia became his second home; he spent the remainder of his days at Mittau in Courland; and he seems to have retained no trace of his French nationality except his easy mastery of the French language, which is abundantly shown in his readable and interesting *Mémoires*.

H. MORSE STEPHENS.

PERSONAL REMINISCENCES OF THE WARS OF NAPOLEON.

*Mémoires du Général Baron Roch Godart (1792-1815)*, publiés par J.-B. ANTOINE. (Paris: Ernest Flammarion. 1895. Pp. xxxvi, 371.)

*Souvenirs de Guerre du Général Baron Pouget*, publiés par MME. DE BOISDEFFRE, née POUGET. (Paris: Plon, Nourrit et Cie. 1895. Pp. vii, 323.)

*Mémoires du Général Lejeune*, publiés par M. GERMAIN BAPST. *De Valmy à Wagram*. (Paris: Firmin-Didot et Cie. 1895. Pp. xi, 416.) *En Prison et en Guerre, 1809-1814*. (Paris: Firmin-Didot et Cie. 1895. Pp. 348.)

*Journal du Général Fantin des Odoards ; Étapes d'un Officier de la Grande Armée, 1800-1830.* (Paris : Plon, Nourrit et Cie. 1895. Pp. 514.)

THE publication of the memoirs of Marbot, and their astounding and well-deserved success, have undoubtedly done much to bring about the interest in the first Napoleon which has been so significant a feature of French literature during the past three or four years. French publishers have rivalled each other in their desire to bring before the public the military reminiscences of veterans of the *Grande Armée*, and several interesting personal records of war and adventure during the stirring days of the Empire, which had originally been written for family circulation only, have recently been published. But the popularity of Marbot's memoirs has spread beyond the limits of France and brought the Napoleonic craze with it. It has been found worth while to translate them into English, and the reading public of England and the United States seems to have been as fascinated with the tales of the bygone military glory of Napoleon's army as the people of France. Next to Marbot, the most successful memoir-writer on this period whose volumes have yet been published is General Thiébault, whose lengthy work loses some of the military dash of Marbot's story in its infinity of minute personal details, but conveys something of the same attractive portrayal of life in the French army, when the French army dazzled Europe with its brilliant successes. In their different degrees, and dealing with different spheres of action in some respects, but displaying many of the merits of Marbot and of Thiébault, are the memoirs of the four officers of Napoleon whose names stand at the head of this article.

It is interesting to examine the personal details of the lives and careers of Godart, Pouget, Lejeune, and Fantin des Odoards together, and to point out how in their very difference they all illustrate the military history of France in the days of Napoleon. They entered the army in very different ways, came from different parts of France, and rose to high rank after different fashions. Godart, the eldest of them, who was born in 1761, was the son of a poor cooper at Arras and spent eight years of his early life in the army of the *ancien régime*, rising to the rank of corporal. He had left the army and was working for the support of his family at Arras when the patriotic demand for volunteers for the defence of France in 1792 caused him once more to enter the military service. Since he was an old soldier and knew his drill, Godart was elected by his fellow-volunteers of the Pas-de-Calais to be commandant of the battalion, and it was in this capacity that he served in Belgium in 1792 and at the battle of Wattignies in 1793. The old soldier was something of a martinet and was by no means popular among the volunteers he commanded, while his low birth and want of education offended officers of higher birth or higher rank than himself. Nevertheless, he understood his business so well, that the 79th demi-brigade, afterwards the 79th Regiment, which he commanded after the amalgamation of the regulars, the national guards, and the volunteers in 1794, became a

model for bravery and good discipline. In the days of the Directory Godart served in Moreau's famous retreat in 1796, in Bonaparte's campaign in the Tyrol in 1797, and later in the Ionian Islands and in southern Italy, and he took part with his regiment in the military proceedings of the *coup d'état* of 18 Brumaire which placed Bonaparte in power. Pouget had a very different career. He was the son of a physician of Lorraine, an intimate friend of King Stanislas and the Prince de Craon, and was born at Craon in 1767. When national guards sprang into existence all over France, in 1789, at the commencement of the Revolution, young Pouget was chosen sergeant and then lieutenant of the local battalion of Craon. Two years later, when the country was declared in danger, his company volunteered for active service and he became captain in the fourth battalion of the Meurthe. In this capacity and on the staff he served in the famous campaigns of 1793 and 1794 with the army of the Moselle, but was removed from the service with many other officers, among them Napoleon Bonaparte, by the reforms of Aubry in 1795. After five years without employment, he re-entered the army in 1800 through the influence of General Lefebvre, whom he had known in the army of the Moselle, and was appointed major of the 62d Regiment in 1803 and colonel of the 26th in 1805. Lejeune was some years younger than Godart and Pouget and was born in 1775. His first campaign was that of Valmy in 1792, when he served with the company of Parisian students known as the "Compagnie des Arts." This company disbanded itself in 1793, but the young soldier soon volunteered for active service under the decree which called out all men between eighteen and twenty-five years of age. After serving on the staff, his talents caused him to be employed in the Engineers, and as a lieutenant in the scientific corps he served in the conquest of Holland and upon the Rhine. Since he had graduated in the field and not from the engineer school at Mezières, Lejeune was summoned to Paris during the Directory to pass a special examination in his professional acquirements. He passed the examination so brilliantly that he was made a captain in the Engineers and appointed aide-de-camp to Berthier, the famous chief of the staff of the Emperor Napoleon, and in this capacity he was present at the battle of Marengo and was the officer sent to hurry up the corps of Desaix, the arrival of which won that famous victory. Fantin des Odoards was born in 1778 at Embrun in the Basses-Alpes, and took no part in the wars of the Revolution or of the Directory. He entered the army as a sub-lieutenant of infantry in 1800, after the battle of Marengo, and obtained his captaincy in the 31st Regiment in 1805, the first year of the Empire, without seeing any active service.

Such were the varying paths by means of which the four officers, whose memoirs have just been published, made their way into the ranks of the *Grande Armée*. Their careers in the army of Napoleon, as might be expected, were influenced by their origin. Lejeune served upon the staff of Berthier for many years with increasing distinction, and as a staff-officer was employed in what may be called the higher branches of the profession.

Since Berthier was the chief of the staff and personal friend of the Emperor, Lejeune, of course, was often brought into contact with Napoleon himself, and he relates many anecdotes about his bearing and appearance at different important epochs. He did not leave Berthier's staff till the Russian campaign of 1812, when he was made, after the battle of Borodino, chief of the staff to Davout. He was chief of the staff to Oudinot during the earlier part of the campaign of 1813, and during the latter part commanded a brigade of infantry at Leipzig and at Hanau. Less brilliant to the imagination are the careers of Godart and of Pouget. While Lejeune has, like Marbot, good stories to tell of life on the staff and of personal intercourse with the Emperor, the former were occupied in doing their duty as colonels of regiments. Godart commanded the 79th, which he had formed in the days of the Revolution and which had grown up under him, so to speak, till 1809. At its head he did good, though rather too impetuous, service, at the battle of Caldiero in 1805, and after remaining with it in Dalmatia for more than three years, he marched with Marmont's corps to the aid of the Emperor when he was encamped in the island of Lobau in 1809. In the great battle of Wagram the 79th fought for the first time in one of the great battles of the Empire, and Godart found himself for the first time since 1797 under the immediate command of Napoleon. For his services at Wagram he was promoted general of brigade and made a baron of the Empire, but he never distinguished himself as a general officer. He commanded a brigade in Masséna's invasion of Portugal in 1810 and in the disastrous retreat from Torres Vedras, but when his old enemy, Marmont, who had refused to recommend him for promotion for his services in Dalmatia, and who regarded him with contempt as a low-bred and uneducated officer, took command in the Peninsula, Godart was speedily recalled. In the Russian campaign he acted for some months as Governor of Vilna, and in the campaign of 1813 he commanded a brigade under Gouvion-Saint-Cyr, and capitulated with that general at Dresden. Pouget, like Godart, was essentially a regimental officer. His regiment, the 26th, distinguished itself in many battles, notably the battle of Eylau, when his services were recognized by his being made a baron of the Empire. He had part of his left foot shot off at the battle of Aspern or Essling in 1809, and was then promoted general of brigade. In the Russian campaign of 1812 he commanded a brigade in the corps of Oudinot, but was left behind in the advance on Moscow as Governor of Vitebsk, and was at the time of the French retreat made prisoner by the Russians. Fantin des Odoards was a younger man, and it was not until after he had been present as a captain in the 31st Regiment at Austerlitz, at Friedland, and in Spain that he received promotion in 1810 by being appointed to the command of a company in the Old Guard. While in Russia he was promoted major; in the campaign of 1813 he commanded first the 17th and afterwards the 25th regiment, and after escaping the surrender of Vandamme's corps at Kulm, he had to capitulate with Gouvion-Saint-Cyr at Dresden. Fantin des Odoards alone of the four was actively engaged in the brief campaign of 1815, when he commanded

the 22d Regiment, which belonged to Vandamme's corps, at Ligny and at Wavre. He alone of the four, also, saw active service after the Empire was at an end; for he commanded a regiment in the invasion of Spain in 1823, and then won his promotion to the rank of a general officer. It may be interesting to note for the use of students of the wars of the Empire that Lejeune, Pouget, and Fantin were present at the battle of Austerlitz, Lejeune at Jena, Pouget and Lejeune at Eylau, Fantin and Lejeune at Friedland, Pouget and Lejeune at Aspern, and Godart and Lejeune at Wagram. Godart, Lejeune, and Fantin served in Spain during the Peninsular War, the first as a general of brigade under Masséna in 1810-1811, the second as commanding engineer at the siege of Saragossa and afterwards on a special mission during which he was made prisoner by the Spanish guerillas, and the third in the campaign of Corunna, Soult's occupation of and defeat at Oporto, and at the battle of Talavera. All four saw something of the Russian campaign of 1812, though Godart and Pouget were left behind as provincial governors and never entered Moscow. Godart, Lejeune, and Fantin served in the Saxon campaign of 1813, but since the first and third were made prisoners at Dresden and the second was severely wounded before re-entering France, none of them took part in the famous defensive campaign of 1814. It is also perhaps worth noting that all four were several times wounded more or less severely, and that all four were at different times taken prisoner by the enemy, Pouget by the Russians, Godart and Fantin by the Austrians, and Lejeune by the Spaniards, who handed him over to their allies, the English.

It remains to be added that of the four books Lejeune's is by far the best written. In vivacity of style, Lejeune sometimes almost reaches the level of Marbot, and the story, for instance, of his captivity in Spain with its hourly peril of instant execution is both thrilling of itself and admirably related. As material for history, however, the most valuable record is that of Godart on account of the new light it throws on Marmont's operations in Dalmatia, and on the conduct of Masséna's invasion of Portugal. It is further illustrated with most valuable notes by M. J.-B. Antoine, throwing great light on such obscure points as regimental organization under the Directory. The journal of Fantin des Odoards has its main interest in the fact that it was regularly written up day by day or week by week, and contains, therefore, a veritable picture of the daily life of an officer in the *Grande Armée*. His account of the retreat from Russia, however, was written up some months after he had passed through those weeks of horror, but it is none the less a graphic and powerful narrative. Pouget's *Souvenirs* are charmingly written as a record for his children of what he had seen and suffered, but his opportunities for seeing were not so great as those of Lejeune and his book is proportionately of less interest and value. It may be said in conclusion that if the Napoleonic craze is going to produce many more volumes of personal recollections like those of Marbot, Thiébauld, and the four officers whose names have been so repeatedly mentioned in this article, it is to be hoped that it may continue a little longer before giving



way to some other fashionable craze that may not provide equally valuable and interesting narratives for the use of the historical student and the delight of the general reader.

H. MORSE STEPHENS.

*Histoire du Second Empire.* Par PIERRE DE LA GORCE. (Paris : E. Plon, Nourrit et Cie. 1895. Two vols., pp. vii, 493, 458.)

As we draw farther and farther away from the events of the period from 1850 to 1870, it may well be expected that renewed attempts will be made to review these events from the standpoint of the historian rather than of the politician; that scholars will arise competent to discuss men and movements without prejudice and without passion, and to utilize the ever-increasing mass of letters, official documents, memoirs, and special monographs that are each year in course of publication. Thus work will be produced acceptable to the readers and critics of our generation, who, strangers to partisanship and in sympathy with the canons of modern historical research, desire to know accurately the meaning of that important period and the part which its statesmen have played for good or for evil in creating the political situation as we see it to-day. What Mr. Rhodes is doing for this country, and what Sybel—with full allowance for his national liberal sympathies—has done for Germany, M. Pierre de la Gorce is doing for France.

M. de la Gorce is to be classed with the members of the modern school of French historians,—Monod, Aulard, Babeau, Sorel, Rambaud, Langlois, Bémont, and others,—who, in one field or another, are doing the best historical work in France to-day. Already well known as the author of an admirable history of the Second Republic,<sup>1</sup> he has brought to his task the qualities of a trained scholar, who has made his vocation neither politics nor literature, but history; and, while recognizing that his material is inadequate for a final treatment of his subject, has endeavored to relate faithfully and conscientiously the history of the Second Empire as the accessible documentary evidence presents it to him. Although his work is based to a large extent upon published material, it is evident that access to private sources of information has, in many instances, enabled the author to make clear many important points hitherto obscure.

In these volumes M. de la Gorce treats of the period from January 1, 1852, to May, 1859, when Napoleon III. announced to the French people the fact that war existed between France and Austria. He writes of those first years,—*les années heureuses*,—when the Napoleonic government, in fancied security, gave little thought to indications of eventual failure,—indications bound to appear in the history of a régime indifferent to all those political problems that had been uppermost in France since the French Revolution. M. de la Gorce opens his subject with a discussion of the *coup d'état*, and traces the policy of Louis Napoleon as dictator of the

<sup>1</sup> *Histoire de la Seconde République Française.* Two vols. 1887.

Republic, explaining the success of the *coup d'état* by showing that France did not want parliamentary government as much as she wanted political peace. He examines the methods employed by Louis Napoleon to win the support of all classes of people, his clever manipulation of the economic forces of the period, his measures for gaining electoral support, and his attitude toward the central and local administration, in preparing the way for the establishment of the Empire. He then takes up the Empire itself, traces in considerable detail the steps leading to the assumption of the imperial title, and discusses the imperial constitution, the legislation whereby the imperial power was increased, the men who served as ministers, the loss of liberty, the increase of wealth and luxury, and the growing political apathy of France.

Having thus examined the internal conditions of the first years of the imperial epoch, he turns to the foreign relations, and devotes the remainder of the first volume — about 250 pages — to the Crimean War. Returning, in the second volume, to the government and life of the Empire, M. de la Gorce enters upon a brilliant analysis of the internal economy and administration, the political parties, the Christian society, and the social classes, and searches for the causes of Napoleon's popularity. He studies the Emperor's policy of reconciliation, his sagacity, his quickness to seize opportunities, and his skill in turning everything to the advantage of the Empire. At the same time he shows the hollowness of this popularity, the artificiality of the imperial government, its want of organic connection with the national life, as seen in the growth of doubt and suspicion, of electoral indifference, of party inactivity, and of gloomy debate in the Chambers. His chapters on *L'Empire et les Partis* and *L'Empire et la Société Chrétienne* are particularly strong; each is, in a sense, a distinct essay, in which the delineation of men is admirable, and the treatment of religious leaders and questions, although in no sense laudatory, appreciative and sympathetic. That upon *Les Élections de 1857* — a severe arraignment of a Napoleonic plébiscite — and that upon *L'Attentat d'Orsini*, bring us back to the political phases of the subject, and prepare the way for a further discussion of the foreign relations of the Empire, the last 196 pages being taken up with the Italian question.

To determine the exact measure of M. de la Gorce's contribution to the history of France, we must compare his work with that of others who have written upon the same subject. In the first place, he has approached his evidence as an historian and not as a littérateur, as did Jerrold in *The Life of Napoleon III.* (1874-1877), nor as a politician and journalist, as did Delord in his *Histoire du Second Empire* (1869-1875). Untouched by the political passions of the period, he has published his work at a time when party bitterness is subsiding; whereas Jerrold, an acknowledged friend of the imperial family, began to collect his materials early in the sixties; and Delord, a republican of the type of 1789, issued his first volume in 1869 and the remainder before it was certain whether the Third Republic would live or die. In the second place, M. de la Gorce treats with

equal success affairs of state at home and affairs of diplomacy abroad; whereas Jerrold wrote of Napoleon *intime*, and had no real appreciation of the political history of the Empire; while Delord, though fairly successful in his delineation of the strength and weakness of the imperial régime, failed signally in his discussion of the foreign relations, and never understood the importance of the war policy in alienating the people of France from Napoleon.

But in his treatment of the Crimean War M. de la Gorce comes into competition with writers of another class. Was it necessary to devote so much space to the war, when Kinglake in *The Invasion of the Crimea*, Geffcken in *Zur Geschichte des orientalischen Krieges*, and Rousset in *La Guerre de Crimée* have already treated it with such fulness? In the first place, the work of neither Kinglake nor Geffcken is complete; the former stops with the death of Lord Raglan, while the latter studies the diplomatic history of the war, and avoids the military movements. M. de la Gorce, on the other hand, has given an admirably proportioned account, beginning with the causes, tracing the diplomatic efforts of the Powers, following the movements of the armies, furnishing details and statistics in large numbers, and concluding with a masterly summing up of the work of the Congress of Paris, and of the results of the war. Now the work of Rousset is equally complete, but it cannot be called in every way a well-balanced history. As a writer on military matters and historiographer to the French Minister of War (1864), Rousset devoted his attention especially to the military aspects of his subject. At the same time, depending as he did upon documents of French origin, he underestimated the services of the English troops as much as Kinglake overestimated them. In this particular M. de la Gorce inclines toward the view of his countryman, and it is probable that his presentation will not be wholly acceptable to those who have been wont to think of Alma, Balaklava, and Inkermann as scenes chiefly of English prowess. When, however, it comes to the events which led to the war he far outclasses Kinglake, whose statements need constant revision, and he is superior to Rousset in historical judgment; for the latter, with all his penetration and technical knowledge, made a number of erroneous estimates as to the influence of the war in European history and its relation to Italian and German unity.

When M. de la Gorce takes up the Italian question, he enters an unworked field and has no competitor; for he is the first to make elaborate use of those indispensable collections of Italian documents, Bianchi's *Storia documentata*, and Chiala's *Lettere edite ed inedite di Camillo Cavour*. It is in his chapter *Le Piémont et L'Italie*, that he has made his greatest contribution to history. In the sentence, "C'est en Italie que s'est décidé le sort du second Empire," he has found his inspiration, and it is this sentence that justifies the fulness of his treatment. To the elucidation of this question he devotes his best efforts, and he works out with marvellous skill that series of negotiations with Napoleon III. and the Powers abroad, and with Victor Emmanuel and the parties at home, which made Cavour

the greatest diplomat of Europe. In but one matter do I find reason for criticism. M. de la Gorce would have strengthened his discussion of the relation of Piedmont to the Crimean War had he dwelt more in detail upon the policy of resistance adopted by the Piedmontese ministry, especially by Dabormida, Minister of Foreign Affairs. He does not make it clear that Dabormida's hostility to Cavour was based on sound argument and not on merely conservative prejudices. Dabormida wanted guarantees, and would not follow Cavour until Austria promised to respect the independence and freedom of Piedmont, and this Austria would not do. In fact, Cavour's boldness, which history would condemn had he failed, led him at times to commit breaches of international courtesy as well as of international law. To drive Dabormida from his position in the ministry in order that he might fill it himself may have been necessary for Italian unity, but it was not officially honorable.

M. de la Gorce offers us, however, few opportunities for criticism. So well has he done his work, so skilfully has he followed the intricate mazes of European diplomacy, so successfully has he concealed his own predilections and party sympathies, — if he have any, — that we have at last a history of the first years of the régime of Napoleon III. that may be read with confidence and satisfaction. It is not surprising that the work, which has already passed into a second edition, should have been crowned by the French Academy and have received the *prix Alfred Née*.

CHARLES M. ANDREWS.

*Mémoires du Duc de Persigny.* Publiés avec des Documents inédits, un Avant-Propos, et un Épilogue, par H. DE LAIRE, Comte D'ESPAGNY. (Paris: E. Plon, Nourrit et Cie. 1896. Pp. xx, 512.)

PERSIGNY'S is a name now almost forgotten, but in his day he played no small part in the affairs of the Second Empire. Born a Royalist, he became converted to Imperialism, and participated with Louis Napoleon in the Strassburg and Boulogne episodes. For the last he was condemned to twenty years' imprisonment, but was released in 1848. Beginning with 1849 he was a member of the Legislative Assembly, minister to Berlin, senator, twice minister to England, and twice Secretary of the Interior. The result of the elections of 1863 rendered it advisable that he should resign this portfolio, and soon after his retirement from the cabinet he was created a duke; he continued a member of the privy council, to which he had been appointed in 1858. For fourteen years Persigny rendered a devoted service to Napoleon III., while during the last seven years of the Empire he was utterly neglected by his former master. During this retirement he composed, between November, 1867, and March, 1869, these Memoirs, which are not memoirs in the strict sense of the term, but rather a series of detached studies or essays on the politics of the twenty years

following Louis Napoleon's election to the presidency of the Second Republic.

Persigny died in January, 1872, and as none of the persons mentioned in the Memoirs are now living, except the Empress Eugénie, the editor, who was the author's private secretary, judged that the time had come when these writings might fittingly be published. But, frankly, the world has got on very well for twenty-four years without them, and a careful perusal leads one to think that it might have done without them for at least twenty-four years more. For it cannot well be urged that any new light is thrown on unsolved problems, or that very much is added to what was already known of the Napoleonic régime.

Persigny occupied positions which peculiarly qualified him to make many important revelations concerning the government, and yet he either treats with extreme brevity, or else passes over in absolute silence, many of the important topics of the two groups into which the leading events of the period fall,—internal corruption and mismanagement, and the attempted brilliant, though often disastrous, foreign policy of the Empire. On one subject Persigny felt strongly and wrote at considerable length: the attitude of France in the Austro-Prussian relations of 1866; this is one of the most suggestive and instructive portions of his narrative.

His omissions are almost fatal, especially if we include, as may fairly be done, those subjects which are but barely referred to; such as the *coup d'état*, the Italian war, French acquisitions in Asia, interference in Mexico, and the like. The "*documents inédits*," mentioned on the title-page, are few and unimportant.

In spite of its omissions and defects, the book is not without merit. Though the writer hardly conveys to the reader an adequate idea of the extent to which the administration of the country was corrupt, he does, in one of his most important chapters, put his finger upon the fundamental cause of the evil,—the highly centralized character of the system; and the evil is no less patent under the Third Republic than it was under the Second Empire. So, again, Persigny regarded as one of the main reasons for his loss of influence, as well as for the internal misgovernment of the country, the interference of the empress. A very interesting insight into the nature of the influence which she exerted is given in a long letter he sent the emperor, in 1867, concerning her presence at the meetings of the council. The empress resented the advice, but evidently was convinced of its justice, since it was not long afterwards that she ceased to attend.

In his estimate of men and of events, Persigny looks constantly through Imperialist spectacles; but his bias is so evident that one scarcely needs to be put on one's guard. Even though writing while in retirement and disfavor, he still remains the devoted supporter of Napoleon III. To the very last he was ready to offer his services, which were coldly refused. Occasionally, however, he indicates some of Napoleon's faults, such as his "*indécision d'esprit*," his "*indolence de caractère*," and his "*impuissance à dominer son entourage*."

In a word, then, this book makes but a slight positive contribution to knowledge, while its chief interest and value consist in its occasional revelations of the inner workings of the empire of Napoleon III. Though written by a partisan, it scarcely increases our admiration or respect for that monarch.

CHARLES F. A. CURRIER.

*Ironclads in Action; A Sketch of Naval Warfare from 1855 to 1895, with some Account of the Development of the Battle-ship in England.* By H. W. WILSON. With an introduction by Captain A. T. Mahan, U.S.N. (London: Sampson Low, Marston and Company. Boston: Little, Brown and Co. 1896. Two vols., pp. xxix, 357, xvi, 374.)

A VALUABLE mass of information has been placed before the naval world in this excellent work. Its two volumes comprise over 700 pages, with many handsome illustrations, and as it is quite free from padding, the amount of interesting facts and incidents it contains is most satisfactory. Its merit is enhanced by an introduction from the pen of Captain Mahan, which is in itself a professional contribution worthy of its author as well as a model of literary style.

Mr. Wilson departs but rarely from the attitude of narrator to take up that of critic or judge. In the few instances in which he does so, his deductions are clear and well considered, and the reader sometimes wishes that he had permitted himself more space for detailed argument concerning the principles of naval warfare. His style is characterized by simplicity and exactness—traits that are especially attractive in a narrative of military and naval affairs.

It is not to be expected in so long a narrative as this that Mr. Wilson should be able to weigh all the evidence presented. It is enough for him if the sources of information are of good repute. This has caused him to undervalue ramming in future conflicts, basing his opinions on those of Mr. Laird Clowes, who has presented certain facts as to ramming quite clearly, but whose deductions do not receive the unanimous assent of naval officers. There are but few advocates of the ram who look for results of importance from its use in single-ship encounters. It is with fleets at close quarters that the ram's supreme function will be exercised, and at such a time questions of extreme speed, armor, and heavy guns will be little regarded compared with quickness in turning and the presence on board of a resolute commander.

The author notes that high-angle fire was of little avail in the reduction of the forts on the Mississippi, and that, though the mortar vessels discharged bombs until the ammunition ran short, for all practical purposes Fort Jackson remained intact. This remark attracts attention at the present time when so much of our harbor defence rests upon the efficiency of mortar fire, though it must be remembered that great advance has been



made in mortars since then, and that our present defence system has been thoroughly studied.

The divided command of the Mississippi is indicated by the author as one reason of the failure to defend New Orleans successfully, and he speaks of a general commanding the forts, a commander in charge of the vessels of the Confederate navy, and a separate organization known as the "River Defence," whose vessels were handled by their captains without thought of concerted action. The principle here involved is as old as the existence of war itself, and should be of present interest to this country.

In reading the chapter which deals with the operations off Charleston, we perceive that serious operations at that point were not undertaken before January, 1863, nearly two years after the opening of the war, and the question presents itself, why was not this done earlier? It cannot be expected that Mr. Wilson should take up these matters in a book whose title limits it in some degree to a history of ironclads, but as he devotes considerable space to the blockade, it will not be out of place to notice how little serious criticism of this delay there has been by those who have written on the war of the Rebellion. It would seem that the greatness of the task involved in blockading thousands of miles of coast, and watching hundreds of bays, rivers, and inlets, has prevented Mr. Wilson, in common with many other writers, from recognizing, or at least emphasizing in their writings, that the task might have been avoided; that entrances from the sea to the territory of the Confederacy might have been seized early in the war, and islands and peninsulas commanding the channels might have been occupied by our forces, and held securely by means of our absolute control of the sea. Delay in the beginning was fatal, for old defences were strengthened in the first year and new ones created, which changed practically defenceless positions into formidable strongholds; but, at the outset, the government forces being supreme on the sea and the Confederates having practically nothing, it would have been quite feasible to occupy positions at all or nearly all of the harbors and inlets of the Confederacy, and thus render unnecessary the herculean labor of the ensuing years of the war. Nothing can detract from the bravery and patriotism with which this blockade was maintained, but there is little doubt that, if our naval leaders had been studying the art of war for the twenty years preceding the spring of 1861, on some such lines as Clausewitz and Moltke devised for the German army chiefs, the labor of the blockade would have been vastly reduced, and the Rebellion might easily have been terminated after a two years' struggle. The author announces in his chapter on the blockade, that "The Northerners made their blockade effective by seizing bases on the southern coast," but neither he nor other writers dwell upon the fact that our complete supremacy afloat in the beginning of the war made it possible for us, had we recognized the fact, practically to destroy blockade-running in the first few months of the war.

That the author perceives the value of the study of the art of war in times of peace, is apparent in many pages of this book. He refers to Far-

ragut's long study of fleet formations with small wooden models of his ships, and says that "he combined in an eminent degree scientific knowledge of his profession and courage." Again, on page 159, he unconsciously rebukes those who believe in mechanical invention as deciding future wars, saying plainly that "the whole history of naval warfare is one lesson; that it is men, and not ships, who decide the issue."

Of the battle of Lissa, as presented by Mr. Wilson, there is little to remark. He mentions that Admiral Tegetthof's tactics lacked elasticity, and that there was danger of his firing into his own ships; but we are not to suppose that he regards these defects as sufficient to balance the great advantage obtained by massing a military force, whether afloat or ashore, when undertaking a vigorous offence. Concerning Italy, the author's brief and powerful statement covers the whole ground: "Italy chose the royal road to defeat; she built a great ironclad fleet without training officers and men to take it into action. . . . She neglected that preparation and organization which is the essence of success in war. She forgot to train admirals as she forgot to train sailors. She had no naval staff with plans and information ready in case of war."

Mr. Wilson's second volume contains a chapter, entitled "The Naval Battle of To-morrow," in which the author has grouped the data concerning ironclads and made deductions therefrom as to future ships and their proper tactics. We have mentioned already that the author is at his best when presenting his own views, and is rarely open to criticism except when he presents those of others without analyzing them sufficiently. His discussion of torpedo boats is a case in point. He compares their sphere of action to that of cavalry in a land fight. He states that these crafts act like cavalry by surprises and quick dashes, and, like cavalry, complete the ruin of the beaten. That they act by surprises and quick dashes we know; that they complete the ruin of the beaten we do not know, nor is it at all proven that this is one of their functions. To complete the ruin of the beaten ship the torpedo boats will probably have to attack it where it has been left disabled and alone out of the *mêlée* of the battle, and where it will be in a position well adapted to withstand the attacks of a torpedo boat which will then have no other vessels to shelter its approach. It can scarcely be thought that however disabled the battle-ship may be, it has been robbed of its quick-firing and machine guns, even though its main battery, or engines, or steering gear may have been so injured as to force it out of the line of battle. The analogy of torpedo boats with cavalry is pleasing to the imagination, but there appears to be no foundation in reason or naval logic for this comparison. Even as scouts they fail in heavy weather, and, except under special conditions, the analogy fails in that respect also.

In his discussion of rams Mr. Wilson says "ability to ram depends upon speed and handiness in the assailant, and the want of these qualities in the assailed." This assertion is often made by writers of the present day, and is doubtless correct in great degree when applied to battles

between single ships. It is, however, as we have said above, with fleet engagements that navies have to concern themselves principally, and in these, when close action is joined and the rams leaving the shelter of the heavy ships enter the confusion of the *mêlée*, the necessity of great speed will not be apparent. It is not a question of pursuing a single ship and manœuvring perhaps for hours to obtain a commanding position from which to ram; but, on the contrary, a sudden charge in the midst of a crowd of ships and a rain of projectiles and the delivering of a sudden blow; or failing that, an attempt on the next astern; in all, a matter of minutes, perhaps seconds. The author's reasoning, therefore, that the necessity for high speed demands heavy boilers, powerful engines, a strong hull, and hence a high displacement, is deprived of its foundation. That the ram type of vessels should be a special class may be justly questioned. Battle-ships themselves, it is sometimes argued, will make the most convenient rams.

In considering tactical formations the author has indicated nine, and finally settles upon "line ahead," or what we call "column," as the battle formation. His reasons, such as the flexibility, convenience, and other virtues of this disposition of his ships, are clear and convincing. His ruling conception of the battle is two such columns engaging each other on parallel lines, and at from 1000 to 3000 yards distance, with their lighter vessels also in column on their outer flanks. He speaks of tactical manœuvres, probably preceding the battle, and perhaps following the opening of fire, but his reference to these is vague, and he contents himself as to details with the advantage of his smoke blowing from him towards the enemy, and of the sun dazzling the eyes of hostile gunners rather than his own.

Mr. Wilson's vagueness as to the tactics of fleets represents quite faithfully the condition of the naval mind at the present day, and since his book is avowedly a record of facts, and claims for itself no originality of suggestion, it is a merit rather than a fault that he should by simple omission call attention to this condition of affairs, and to the almost grotesque position of modern navies in regard to naval tactics.

Two other principal chapters of the second volume are "Ironclad Catastrophes," and "The Development of the English Battle-ship." They are recommended to the reader as both interesting and instructive, and we regret that space does not permit our giving extracts from their many excellent descriptions.

H. C. TAYLOR.

*Studies in Diplomacy.* Translated from the French of Count BENEDETTI. (London and New York: Macmillan and Co. 1896. Pp. lxix, 323.)

COUNT BENEDETTI has set for himself a difficult task. Charged by French writers and politicians with having inefficiently discharged his mis-

sion at Ems, he has undertaken to vindicate himself from that aspersion. In that undertaking he has perhaps succeeded, but he has endeavored to do more. He has also sought to show, first, that the Duc de Gramont, the French Minister of Foreign Affairs, was responsible for his failure to secure peace, and, second, that Prussia was responsible for the ensuing war. He had, he maintains, effected a satisfactory adjustment of differences, when the Duc de Gramont intervened with an improper demand and upset it; but he holds Prussia responsible for the French declaration of war that followed. These contentions are not in their nature necessarily and wholly inconsistent. The Duc de Gramont may have blundered, and yet may not have been altogether responsible for the war. But Count Benedetti, in his attempt to cast the whole responsibility on Prussia, does not succeed in maintaining the consistency of his positions.

The fact is now well established, as Count Benedetti asserts, that the candidacy of Prince Leopold for the Spanish throne was warmly sanctioned and supported by Bismarck in 1870, for political reasons. The existence of Prussian intrigue was suspected by France at the time, and this suspicion largely accounts for the violence of the opposition exhibited to the candidacy in that country. In the midst of the excitement Benedetti was officially instructed to repair to Ems, where King William was then staying, and to obtain from him a promise that he would advise Prince Leopold to withdraw his acceptance of the Spanish overtures. In a private letter from the Duc de Gramont, accompanying the official instruction, it was stated that what was desired was an order from "the Prussian King's government" to Leopold to reconsider his decision. This private suggestion, explanation, or direction, whichever it may have been intended to be, Benedetti properly disregarded. From the very beginning the king had asserted that the affair was one with which he, as sovereign of Prussia, had nothing to do. Whether this position was sound or unsound, is a question which it is unnecessary for our present purpose to consider. It was a position from which the king, after having once assumed and maintained it, could not depart without self-contradiction and humiliation. Assuming, therefore, that the object of the French government was to preserve peace by securing the withdrawal of the Hohenzollern candidacy, Benedetti forbore to make a demand which would have rendered compliance with the views of France impossible, and confined himself to the task of inducing the king to advise a withdrawal. Public opinion in Germany had already been inflamed by an immoderate declaration made by Gramont to the Corps Législatif on the 6th of July. It was not desirable to multiply mistakes.

Benedetti had two audiences of the king on the 11th of July. The king intimated that he was in communication with Prince Leopold and with the latter's father, Prince Anthony, and said that, if Leopold withdrew his candidacy, he would approve his decision; and he asked Benedetti to telegraph to Gramont that he expected a communication from Leopold in a day or two, and that he would then give a definite answer. The reasons

which moved the king in this course are manifest. For the purpose of preserving his consistency, he desired that Leopold's renunciation should appear to be a spontaneous act; but he was willing to invest it with a definite character by giving it his approval. On the afternoon of the 12th of July, the Spanish ambassador at Paris received a telegram from Prince Anthony announcing that Leopold had withdrawn his candidacy. This announcement the Spanish ambassador immediately communicated to the Duc de Gramont and to certain members of the Diplomatic Corps, and the news at once became public. The press and certain politicians were highly indignant at this mode of announcing the withdrawal. Unaware of the state of the negotiations, and of the promise of the king to communicate to Benedetti his approval of the withdrawal, they saw in the announcement only a fresh "insult." The Duc de Gramont, yielding to the excitement of the moment, became aggressive. He instructed Benedetti to demand of the king guarantees for the future, in the form of an engagement that he would, if necessary, exert his authority to prevent a renewal of the candidacy. Such a pledge the king refused to give. He pronounced it "a new and unexpected concession," which he was unable to make. But he renewed his assurance that when the messenger, who was expected in the course of the day, had arrived from Sigmaringen with the renunciation of Prince Leopold, he would send for Benedetti and make the communication which he had previously promised. Later in the day, however, the king, instead of sending for Benedetti, made the communication through one of his aides-de-camp, and when Benedetti solicited yet another audience, the king informed him in the same manner that, having given his entire and unreserved approbation to the withdrawal of Prince Leopold, he could do no more. The king thus refused, firmly and absolutely, further to discuss the subject of guarantees for the future. He was moved to this decision not only by the demand presented through Benedetti, but also perhaps by another demand or request made by the Duc de Gramont through the German ambassador at Paris for a letter in the nature of an apology for having permitted the candidature. "At Ems," says Benedetti, "there was neither an insulter nor a person insulted." The king did not refuse to receive him, except for the purpose of discussing the subject of guarantees. If the new demands had not been made, everything would, he maintains, have been satisfactorily settled.

Such is the view set forth by Count Benedetti in his essay on his mission to Ems. One is, therefore, somewhat surprised to find, in his essay on the Emperor William and Prince Bismarck, the following charge: "He [William] arranged with Prince Anthony for his son's renunciation to take place in a way and under circumstances that would be disobliging to France. Whilst sacrificing the principle, he applied himself with immense skill, we should say with monstrous treachery, to discover a way to entangle the Imperial [French] government in the form. We know how well he succeeded." If this charge be true, the Duc de Gramont was right in saying that Benedetti failed to accomplish anything at Ems. Benedetti

did not insist even upon the king's advising, much less ordering Prince Leopold to withdraw his candidacy. He thought his point was gained by securing the actual withdrawal, together with the king's express approval of it. There was much sense in this view. But if, in reality, the king was seeking to be disobliging to France, and to entrap her with the form of the withdrawal, Count Benedetti committed a grave error; for he himself considered the king's course satisfactory, and in a sense made himself a party to it. The reason why he did so is clearly disclosed in his account of his mission. It was the same reason that led him to abstain from demanding that Leopold be ordered, and even from insisting that he be expressly advised, to withdraw. If Count Benedetti, as he himself declares, refrained from assuming such an attitude because it would have wounded the king and given him ground to believe that there was a design to humiliate him, it is only reasonable to concede that the king was actuated in the course he took by the desire to avoid any compromise of his dignity. The king cannot be charged by the French ambassador with insincerity in having exhibited precisely the same measure of solicitude for his own dignity as the ambassador himself considered just and necessary.

In regard to the incidents preceding the outbreak of the war, Count Benedetti makes in the present volume no disclosures that cannot be found in his volume *Ma Mission en Prusse*, published in 1871. He dwells much on the subject of Bismarck's editing of the despatch from Ems—an act which he considers decisive of the question who was responsible for the war. Count Benedetti has been charged in the French press with incapacity in not having learned at the time the contents of that despatch. He thinks this charge unreasonable and unjust, and he certainly is entitled to our sympathy in this regard. But, can the ultimate responsibility for the war be said to depend on the phrasing of the summary which Bismarck prepared of the telegraphic report from Ems? This is a question to which Count Benedetti does not help us to give an affirmative answer. He condemns his government for having neglected to provide the means "to carry on a war which had been foreseen and had become inevitable since Sadowa." Why had it become "inevitable"? The only reason Count Benedetti discloses is that which may be inferred from his treatment of the unification of Germany under the hegemony of Prussia as a menace to the primacy of France. Writing to his government in 1868, he said: "German union will soon be accomplished; ought we to accept it? If so, do not let us conceal the fact that we shall give it a kindly welcome. . . . In the contrary event, let us prepare for war without respite, and let us form a clear idea as to what assistance Austria is likely to be to us." He now refers to this despatch and triumphantly inquires whether it does not show that he "had long since had a presentiment of the conflict, [and] of Prussia's well-determined intention to provoke it?" It certainly shows that he had a presentiment of the conflict.

We naturally look with interest for what Count Benedetti has to say in regard to the famous draft-treaty in his handwriting, which Bismarck



exhibited to the Diplomatic Corps at Berlin after the outbreak of the war, and which disposed of Luxemburg, and contingently of Belgium, in the interest of France. Count Benedetti's explanation of the transaction is that, while he held the pen, the proposals came from Bismarck. Admitting this to be true, does it greatly alter the aspect of the case? If Benedetti was victimized, it was by the easy process of leading him on in a path which he desired to tread. He himself declares that it was his opinion that the equilibrium of power, which had been disturbed by the acquisitions of Prussia, could be restored only by the annexation to France of adjoining countries, and that it was under the influence of this conviction that he assumed "to confer with Count Bismarck on the bases of his own constant overtures." It is obvious that Bismarck was not seeking the aggrandizement of France. He was playing a game in diplomacy, as he admitted in 1870, when he made the draft-treaty public.

I should be glad if I could praise the manner in which Count Benedetti's volume has been translated. The translation, however, betrays numerous defects. The form in which many of the sentences are cast is not English, and can scarcely be called French, and words are frequently employed which indicate a dictionary rather than a literary knowledge of the English language.

J. B. MOORE.

*A List of Early American Imprints belonging to the Library of the Massachusetts Historical Society.* With an Introduction and Notes by SAMUEL A. GREEN. (Cambridge. 1895. Pp. 137.)

*A List of Early American Imprints, 1640-1700, belonging to the Library of the American Antiquarian Society.* With an Introduction and Notes by NATHANIEL PAINE. (Worcester. 1896. Pp. 80.)

THESE two works may be considered as parts of one whole, for the second list was undertaken at the suggestion of the author of the first, and is so thoroughly a supplement that no duplication is attempted, a mere reference to the title in the other book being thought sufficient. Together they constitute a long step towards a list of books printed in New England down to 1700, Dr. Green's list embracing about three hundred titles, and Mr. Paine's about the same number, one-half of which, however, were also in Dr. Green's. Thus, in round figures, the two works include four hundred and fifty distinct titles, and Mr. Paine in his preface states that "the two lists probably contain the titles of nearly all the known publications now extant, issued from the press in British North America from 1640 to 1700 inclusive." We presume in this statement, Mr. Paine means more specifically the press of New England, as the Philadelphia and New York presses were both quite active within these years, yet have but few representatives in these lists. Even with this deduction from the statement, it is still open to question. Without relying on Thomas and Haven's list,

which is too inaccurate to have much dependence placed upon it, a number of tests seem to prove that not more than between a half and two-thirds of the product of the New England press is in the possession of these two libraries. Taking the issues of Daye and Green before 1650 which are actually in existence, as an example, we find in the two lists the *Bay Psalm Book* of 1640, the *Declaration* of 1645, the *Theses* of 1643 and 1647, and the *Oratio* and the *Platform* of 1649. But we do not find the *Almanacs* of 1646, 1647, 1648, 1649, nor the second edition of the *Bay Psalm Book*. And to show that this proportion is true of the whole period, it is worth noting that for the year 1691 the two lists give fifteen titles, but do not include the Mathers' *Old Man's Honor*, *Fair Weather*, *Good Souldiers*, *Things to be Looked for*, *Ornaments for the Daughters*, and *Cause and Cure*; Moodey's *Great Sin of Formality*; Janeway's *Token for Children*; *The Assembly's Catechism*, and *Some Considerations on Bills of Credit*, giving a proportion of 15 to 10, and still omitting several others that are probably in existence.

This question of inclusiveness is one, however, of minor importance, not in the least detracting from the true value of the two books, which absolutely fulfil in every respect the purpose they attempt, and so far from revealing poverty, prove that an astonishing proportion of Massachusetts' incunabula are to be found within these two libraries. The books, too, have been catalogued with great minuteness and accuracy, and the indices are satisfactory. The period covered is one of much interest, including, as it does, the beginnings of the revolt against Puritanism, the Andros controversy (with the side-issue of the establishing of the Episcopal Church in Boston), and the witchcraft delusion, all of which produced outbursts of pamphleteering. The bulk of the issues are the theologico-political tracts, almost singular to New England, in which current politics were so blended and interwoven with questions of doctrine as to be now practically inseparable, unless the Puritan jargon of the day be mastered. Another offshoot of this religious literature—that in Indian languages—also seems to have had more or less political intention in it, the fathers very quickly finding that it was both easier and cheaper to convert the red man than to fight him. In true politics there are not more than a dozen squibs, unless we class under this head the colonial laws. Of these latter, the two collections united make an extensive series, the codifications of 1660, 1672, 1675, and 1699, and the session acts for 1663–1666, 1668, 1672–1677, and 1692–1699 being given. When it is considered that the late George H. Moore, who specially collected Massachusetts laws for a long series of years, was only able to obtain session acts covering nine years of the seventeenth century, we can see how material a contribution the present works make to the legal bibliography of that period. In the field of belles-lettres there are no more examples than of true politics, and these few are wholly limited to poetry, the play and novel finding no favor in that time and region. There are a few attempts in science, medicine and physics being the narrow range to which the philosophy of the writers was limited. History and biography

make a somewhat better showing in numbers. It is worth noting, however, that the Massachusetts press is by no means a true exponent of the literary activity of the New England writers, by far the larger number of their productions being printed in England.

Taken in connection with the work of Mr. Hildeburn for the Pennsylvania press, and his announced work of the same character for New York, we are evidently very fast approaching towards a bibliography of printing in the English colonies down to 1700, and it is to be hoped, since so much of the ground has been gone over in the present works, that before long some one will prepare a list of Massachusetts imprints on an equally elaborate scale with Mr. Hildeburn's books. The mysterious 1680 Virginia imprint and the Maryland imprint of 1697 would still be gaps, but such small ones, that we should practically have a list of the issues of the press of the English colonies for the seventeenth century.

PAUL LEICESTER FORD.

*The Life and Correspondence of Rufus King, Comprising his Letters, Private and Official, his Public Documents, and his Speeches.* Edited by his Grandson, CHARLES R. KING, M.D. Vol. III., 1799-1801. (New York: G. P. Putnam's Sons. 1896. Pp. xxv, 580.)

THE present volume deals with only three years of King's life, covering but a part of his service as minister at St. James. Thus, so far as his letters and notes are concerned, the subjects treated are almost wholly those in question between America and Great Britain, commerce, neutrality, and impressment being the prevailing bones of contention; but many minor questions growing out of the treaties of 1783 and 1794 were still able to cause friction. In addition, King's correspondents in America tell us much about the party struggles of the day, and the old stories of Virginian supremacy, of Jeffersonian Jacobinism, of the Federalist split, of Adams's waywardness, and Hamilton's rashness are again told, and readably told. King's closest correspondents were Pickering, Cabot, Sedgwick, Ames, Troup, and Gore, and all were interesting, if biassed, writers. There is little of the editor's own work, except in the constant evidences of careful editing, almost the whole of the six hundred pages being original documents, many hitherto unprinted, and scarcely one of which is not of distinct value.

The negotiations of King with the British government, while not involving any great feat of diplomacy, were difficult in the extreme, not so much through the actual questions involved as through the complications introduced by the new problem of independence, and the war actually being fought. The disposition of the English government was distinctly amicable. King's complaints are listened to with invariable courtesy by Grenville and Hawkesbury, many of his requests are promptly complied with, and if long delays occurred in the righting of others, the press of work on the ministry and the difficulties of communication at the time seem adequate excuses.

It is true that there was ill-feeling still burning in English hearts towards their former colonies, but this nursing of old passions was no worse than the political appeals in America, mentioned by Cabot, "to every popular prejudice and especially the inexhaustible one of animosity to the English."

The British seizure of American vessels and the impressment of sailors were certainly good material to use in domestic politics, and that use in time produced its logical results in the most useless war ever fought by the United States. The condition, in fact, was a difficult one. On the one side, owing to the war, American shipping had grown till "at present [1799] it absorbs an immense capital. . . . Indeed nearly all our Capital as well actual as nominal is engaged in Commerce. Scarcely any is left for any other object"; for, as Cabot, who was closely in touch with the commercial classes, ably pointed out, "It is to my mind perfectly clear that the doctrine of 'Free Ships make Free Goods' is the most pernicious to Neutrals that cou'd be devised. Neutrals necessarily derive great pecuniary advantages from the universal insecurity of Belligerent property on the Seas: But let this property be allowed the protection of a Neutral Flag and those advantages are at an end. The profit to Neutrals of merely carrying the goods of the Belligerent is contemptible and wou'd be overbalanced at the close of every war by the great excess of shipping on hand which wou'd be of little or no value — the profit of Neutrals does not arise from carrying the property of Belligerents but it arises from the opportunity which war produces of selling extremely dear and buying extremely cheap — that is of trading where the market is under supplied with what they sell and overstocked with what they buy." And that in this view he was largely correct is proved by King himself half approving of the famous decision of Sir William Scott, as of probable advantage to America, even while he questioned the system which made the judge of the High Court of Admiralty also a member of the Privy Council, and thus "occupied in the discussion of . . . those maxims . . . which are employed to increase and preserve the dominion of England upon the seas." The fault, however, King showed to be in the main due to the "discretion given to the Commanders of several hundred cruisers and privateers . . . when it is considered that few of these Commanders belong to the wealthy classes, and for that reason many of them are more anxious to make prizes than to gain Victories," and to the vice-admiralty courts, the judges of which were only paid in fees from condemned captures, and therefore were virtually bribed beforehand. This latter evil King succeeded in having remedied, and this feat constituted his greatest diplomatic achievement of these years.

Turning from commercial to party questions, there is much that is striking. King's correspondents were nearly all profound pessimists as to the future of their country. The one exception to this view is furnished by Gouverneur Morris, who wrote, with almost prophetic vision, "nil desperandum de Republica is a sound Principle. Let the Chair of office be filled by whomsoever it may, Opposition will act as an outward Conscience, and prevent the Abuse of Power. As to the discarding of it, we may fairly

trust the Ambition which seeks Office for holding the Power which it confers." King himself shared this hopeful confidence; when his American agent proposed to sell his government securities, as the election of Jefferson became probable, he replied, "I have no notion that our Government, or the security of our property can or will be, in any material degree, affected by any changes that have happened or that in my opinion are likely to happen. I should be sorry for the important change that you [mention] but which I do not think will take place; should your conjecture however prove true . . . I should not from thence conclude that the Government was lost, that the public faith and character were destroyed, and that property would be thrown off its foundation—really if I did believe so I should consider it the highest folly to approve not only an useless but a criminal conduct to endeavour to Support a Constitution, which at each periodical election would expose the country to so great and critical a risque," and again, he writes, what is evidently the original of "there is a special providence for fools, drunkards, and Americans," to the effect that, "Steuben used to say, since the Jews were cast off, the Americans had become the chosen People; it may be, and that in this way we are to be saved in spite of ourselves." Otherwise a profound distrust is expressed of the democratic experiment, and of Jefferson. "Possibly a French President may be elected," wrote Cabot, and this, with constant references to the "visionary atmosphere of Virginia," are the chief charges against him. Nor did Marshall escape from suspicion of this latter defect, Sedgwick writing that "like all gentlemen . . . from that State," he was "too much guided by refinements of Theory." This distrust of the state had certainly a basis in its recent acts; for as Ames expressed it, "The Antis were buzzing with their work of sedition and electioneering, and seemed sure of getting the State Govts. into their hands to play them like batteries on the U. S. gov't.," and Sedgwick went so far as to declare that "the leaders have decided on the actual force of its friends and enemies. This appears to me evident from the conduct of the government of Virga. and its satellite Kentucky. With regard to the former, it has displayed an anxiety to render its militia as formidable as possible, and to supply its arsenals and magazines, and for those purposes it actually imposed a tax on its Citizens."

Much is said on the side of practical politics, and the inauguration of the spoils system in Massachusetts (p. 71), Pennsylvania (p. 353), and New York (p. 409), with the carrying of each of those states by the Democratic party, together with its introduction into our national government by Jefferson, suggests some relationship that has not yet received philosophic treatment. The Federalists seem to have been confident that Jefferson would only fill vacancies, and charged bad faith when he made removals, their explanations being that the President had so displeased his party by his conciliatory inaugural, that he was forced to depart from his own system to pacify them. One result of the spoilsman's work in New York is told in a letter of Troup, apropos of one "William Coleman, who was the

clerk of our Court for this City—an office that brought him in at least \$2500 a year. He came here under the patronage of Mr. Sedgwick, is a native of Massachusetts. We have set him up, in consequence of his removal from his office by the late proceedings of the Council, as a printer. His first paper will make its appearance in October next, and I have little doubt from the specimen given by the Pamphlet, it will be ably conducted." It seems poetic justice that the paper so started should have come to be the great standard-bearer in the fight against this very system.

There is much more of true interest that must be passed over with mere mention. Pleasant glimpses are given of two Loyalists, Rumford and West, trying to serve their country, and expressing love for it; and of Wilberforce, engaged heart and soul in the abolition of the slave-trade. The obverse of human nature is shown in Lansdowne's charge that the Peace of 1783 was "a stock jobbing one . . . D'Aranda and the French Minrs gambled in the English Funds," and again in Talleyrand's offer to make a satisfactory peace with England, "the price or bribe of a million sterling to be divided among the Directory, ministers, & others," the agents being the same as those employed in the X. Y. Z. negotiation. On a smaller scale, we are told how "In the famous case of *Le Guen vs. Gouverneur Kemble*, he [Burr] was assistant counsel with Hamilton, who was the leading counsel, and whose talents and influence we all know pushed the cause through. Hamilton would take no more than \$2500 for his services, and Burr (having got previous loans from the Frenchman) worked him out of about \$6000." Not less interesting is Simcoe's statement that he was ordered by Lord Dorchester to attack Wayne's army, thus to begin a war between America and England, and Gouverneur Morris's contention that "a direct Tax, unpopular everywhere, is really unwise in America, because Property here is not productive."

PAUL LEICESTER FORD.

*The Industrial Evolution of the United States.* By CARROLL D. WRIGHT, LL.D. (Meadville and New York: Chautauqua-Century Press. 1895. Pp. 362.)

MR. WRIGHT'S book is a popular account of the growth of manufacturing industries in the United States. Its four parts of approximately equal length deal with the evolution of manufactures during the colonial period, the era since 1790, the labor movement, and finally with the influence of machinery upon labor.

In the first part we are told how one leading industry after another gradually secured a precarious foothold in the New World. The establishment of distinct manufacturing industries went hand in hand with the development of technical processes, and particularly with the application of mechanical motive power. This involves the oft-told tale of the early inventions in the textile industries. But this early history is a brief record of the establishment of mills at different points. Too often our knowledge



of these efforts consists merely in the not too luminous fact that at a given date a mill was erected. What its success was, where it marketed its products, what was their character,—all these, the real economic history of the enterprise, are too often lost in obscurity.

In the era following 1790 the records are still comparatively inaccessible prior to 1860. Such statistical evidence as this period provides is skilfully utilized by Mr. Wright, for here he is on his own ground. Yet in the main we are dependent upon general evidence relating to particular localities, and it is unavoidable that the treatment should not rise above the level of the first part. Previous investigations on the factory system have qualified Mr. Wright to speak with authority upon this topic, to which he devotes an excellent chapter. It was during the years 1790 to 1860 that manufacturing became established on an enduring basis, and with the multiplication of the records the narrative becomes more connected.

The era of the Civil War is one of industrial revolution. It marked a complete change. The factory system of New England and the Middle States became that of the nation. With the impetus given to transportation local industry and obsolete methods began to disappear.

From 1860 to 1890 we have in the census an invaluable record of many aspects of manufacturing activity, and these elements are deftly woven together to tell the story of our manufacturing growth in recent years. In this growth two elements receive especial attention,—the magnitude of industry and the condition of labor. The bare facts of the size of industrial interests are made to tell an instructive story, yet the admirable handling of census figures on wages and wage-earners will naturally receive a greater attention.

The part devoted to the labor movement gives a brief summary of labor organizations, historic labor controversies, and labor legislation. In regard to the latter the experience of Massachusetts serves as a type. In discussing the influence of machinery upon labor, Mr. Wright touches upon a topic somewhat unrelated to its historical setting. His analysis states clearly the concrete facts in controversy, and draws conclusions which in the main are optimistic.

The work is written for beginners, and forms a part of the Chautauqua series, and it meets with the requirements of a popular work. It may be regarded as a summary of Mr. Wright's previous work, with no pretence to original research or novelty of presentation. It places before the general reader the wealth of information for which the student looks to Mr. Wright's numerous official publications.

There is a lack of perspective in the elaborate attention given to the colonial period, where the records are scanty and the picture of necessity sketchy. Had the term "industrial" been used in a broader sense, had the position of agriculture and trade in our national life been more specifically pointed out, we should have had a fuller, and therefore a truer, picture of national growth.

ROLAND P. FALKNER.

*Reconstruction during the Civil War in the United States of America.* By EBEN GREENOUGH SCOTT. (Boston and New York: Houghton, Mifflin and Co. 1895. Pp. x, 432.)

RECONSTRUCTION, as a term in United States history, is usually thought of as applicable to the period following that of the Civil War. The title of Mr. Scott's work, therefore, is at first a little confusing; but the justification for its form is found in the fact that the volume treats of those earlier ideas of reconstruction that were developed in theory and in practice before the definite termination of military operations. It would be a great comfort to be able to state that the author's fidelity to his title had limited him to this particular work. The time may come when a history of our great catastrophe will not be regarded as necessitating an account of indefinite centuries before it occurred. While all will concede that the roots of the present lie deep in the past, the reflecting public sooner or later becomes weary of inspecting the roots, and craves a mere view of what to the modern eye is above ground. But Mr. Scott adopts the time-honored method of approaching his subject. After an introductory chapter on some incidents of the formal secession, he drops back to "the great Anglican Revolution," and discourses on Magna Charta, Simon de Montfort, Aristotle's idea of a *πολιτεία*, and a miscellaneous assortment of historical, social, and political conceptions. It must be put to his credit, however, that he has nothing to say of the Anglo-Saxons, the *tungemôt* or the "forests of Schleswig-Holstein."

The chapters of the work from the third to the eleventh—over half the book—are occupied with a rambling review of our constitutional and political history from the Stamp Act to the Missouri Compromise. Nothing pertinent to the subject seems to have happened between the latter incident and Lincoln's inauguration; for the discussion passes abruptly from the first to the second of these topics. The whole effect of these preliminary chapters is to indicate the author's attitude as that of an extreme strict constructionist in his view of the constitution, and a strong believer in the rights and "separateness" of the states. And it is from this standpoint that he reviews the questions concerning reconstruction that arose during the war, and the practical operation of the plan which President Lincoln announced in the Amnesty Proclamation of December 8, 1863. Chapters thirteen to nineteen are devoted to a review of legislative and executive proceedings in connection with this plan, down to the rejection of the electoral votes of the Southern states in 1865. This review is not in narrative form, and can hardly be called history. It is rather a commentary on the politics of the time, as illustrated by the reports of debates in Congress, and it reflects at every point the author's conviction that, with the exception of some of the Democratic minority, no one in Congress had any knowledge of, or regard for, the Constitution.

There is no great value, at the present time, in a work like that before us. The real need is that of a clear-cut, unbiassed narrative of the facts

of reconstruction history. Of mere commentary on the constitutional law of the case, there is extant enough and to spare. Mr. Scott announces that the present volume is preliminary to a "political history of the period of reconstruction," and is designed to set forth "certain things necessary to be known before taking up the subject." It is doubtful if the careful reader will lay down the present work with the most perfect confidence in the author's competence as a propounder of "certain things," whether necessary or unnecessary. He is too much of a philosopher to be sure of his facts. He bases a beautiful distinction in the uses of the term "government" on the hitherto undiscovered truth that "in Great Britain all statutory enactments have their inception in the cabinet. Parliament acts only upon that which is laid before it by the ministers" (p. 29). From a footnote on page 47 it appears that at the outset of the Revolution the Colonial governor of Massachusetts was elected by the people! Mr. Scott finds some philosophical significance in the fact that Englishmen have been most active in the discussion of political theory "during seasons of internal tranquillity, when there has been no exciting cause to provoke" such discussion (p. 129). One recalls instantly the "internal tranquillity" that produced the works of Milton, Hobbes, Filmer, Locke, and Burke.

The general ideas of Mr. Scott on the formation and early development of the constitution are merely expressive of his political view as described above. For Alexander Hamilton he has a Jeffersonian antipathy. Hamilton, he assures us, forced upon the Americans "the worst form of social constitution known to men, plutocracy," the evils of which are only kept from overwhelming us to-day by "the mutterings of revolution" (p. 187).

This view of our history in one of its aspects is a trifle pessimistic, perhaps; but it is intelligible. The same cannot be said of Mr. Scott's account of the sectionalizing of the Union. This process, it appears, was promoted by the North through a departure from its original views of the constitution. New doctrines were crystallized into a platform, and thereupon "the attitude of the North became more and more determined, and she opposed through the Whig party any pretensions made by the South through the Democratic party. . . . At length, throwing aside conciliation, she took a positive stand, and avowed her determination not to permit further territorial extension of slavery. This lent her the appearance of aggression, and the occasion of it was the application of the Territory of Missouri to be admitted into the Union" (pp. 215, 216).

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the men and the issues of the time are those of an old-school constitutional lawyer rather than those of an historian of any school.

WM. A. DUNNING.

The *Annual Report of the American Historical Association for the Year 1894*, just issued (Washington, Government Printing Office, 1895, pp. 602), shows a distinct advance upon its predecessors. Volumes made up of such brief papers as can be read orally in twenty minutes at the meetings of the Association, are of but limited utility to the profession or to the world. The Council are wise in departing more and more from this form of publication, and publishing the results of researches at sufficient length to show their value. Instead of a juiceless abstract, forced to wear the guise of unsupported assertion, the writer is "given leave to print" what will afford support to his conclusions and genuine instruction to his readers. Five highly important monographs of this sort mark the present volume. Professor John S. Bassett deals with the Regulators of North Carolina, subjecting their history to a fresh examination in the light of the new matter brought forward in the *Colonial Records* of that state. If any one, by the way, cherishes a doubt as to the fruitfulness of large expenditure in documentary publication, let him observe the remarkable growth of excellent historical literature which has, in North Carolina, followed immediately upon the publication of that great series. The other four monographs, to which especial attention should be directed, are those of Professor Henry E. Bourne, on the Organization of the First Committee of Public Safety; by Mr. Harold D. Hazeltine, on Appeals from Colonial Courts to the King in Council, with special reference to Rhode Island; by Professor Samuel B. Harding, on Party Struggles over the Pennsylvania Constitution (1776-1790); and by Professor A. C. McLaughlin, on The Western Posts and the British Debts. Each of these is an important contribution to our knowledge, and is adequately fortified with documentary and other references. Among the other contents of the volume, especial interest attaches to the thoughtful, though far from cheerful, forecast of the development of the science of history, by the president of the Association, Mr. Henry Adams; to Mrs. Harby's paper on the Tejas; to that of Dr. W. B. Scaife on the Jury System on the Continent; to that of Mr. Andrew H. Allen, *pro domo sua*, on the Historical Archives of the Department of State; and to that of Professor Bernard Moses on the Casa de Contratacion at Seville. Mr. W. E. Curtis prints translations of the twenty-nine holograph letters and documents of Columbus, and Mr. E. L. Whitney a bibliography of the colonial history of South Carolina, which, though extensive and careful, appears not to contain Mr. Sainsbury's *Calendar of the Shaftesbury Papers*, nor Sophia Hume's *Epistle* and *Exhortation*.

The Government Printing Office is far from infallible in proof-reading: e.g. Granada for Grenada, on page 275; Wedderbourne, on page 277; F. L. Hawkes, on page 141; Earl of Belmont, on page 323; Mrs. Madona



Catalina (in a letter of Columbus), on page 461. The president's letter is dated from "Guada'-c-jara," presumably instead of Guadalajara.

Dahn's *Könige der Germanen* is coming on somewhat rapidly now after the long break which followed the appearance of the sixth volume. The third part of Volume VII. was published towards the end of last year. The three parts of the volume are quite equal in size to three average volumes of the preceding six, and together they make over 1300 pages, all dealing with the institutions of the Merovingian period. The work exhibits the characteristics familiar to all students of the period in the earlier volumes, — very thorough study, a very technical treatment, and a very strong inclination to hold to the traditional German views on all disputed points. The third part deals with the judicial and financial systems, with the institutions of the church in the Frankish kingdom, and with the royal power, its extent and its limitations, the last topic occupying nearly one-half the space of this *Abtheilung*. Subordinate subjects of especial interest are taxation, the immunities, the assemblies, and the Roman influence on the development of the royal power. On this last point, the author will not admit the degree of Roman influence for which Von Sybel argues, though he does not go so far as Waitz in denying practically all influence. (*Die Könige der Germanen*, Bd. VII., 3d Abth., Leipzig, Breitkopf und Härtel, 1895, p. 581.)

It will be superfluous to praise Henry Gee and W. J. Hardy's *Documents Illustrative of English Church History* (London and New York, Macmillan, 1896, pp. 670) to the reader who takes up the book and finds upon the prefatory page the declaration of the Bishop of Oxford, that "the plan on which it is conceived, the selection of documents which it contains, and the way in which they are arranged and edited are alike very good." To those who have not seen it, it is a pleasure to us to make known the existence of so excellent a book. One hundred and twenty-four of the most important documents of English ecclesiastical history, from the British signatures to the Canons of Arles down to the Act of Settlement in 1700, are presented. Thus, to take one of the last reigns as an example, under Charles II. we have the Declaration of Breda, the Order for the Savoy Conference, the Corporation Act, the Uniformity Act, the Five-mile Act, the second Conventicle Act, and the Test Act. To each document a brief paragraph is prefixed, stating the relations of the document to the church history of the time, the source whence the text is derived, and the authority of that source if there could be any doubt about it. All this is done with learning, accuracy, restraint, and good sense. The documents are usually taken from originals, save in the case of such as are printed in Haddan and Stubbs, the Rolls Series, or the Statutes of the Realm. Documents originally written in Latin or Norman-French are here presented in translation. If we were to find any fault, it would be in the matter of proportion. Four-fifths of the book relate to the sixteenth and seventeenth centuries.

The student of the mediæval church-history of England, who may buy the book expecting it to be as useful for his period as for others, is likely to be disappointed. Only a dozen documents are given for the period before the Norman Conquest, and only forty-five for the whole mediæval period. But these are the most important, selected with excellent judgment, and well edited.

Mr. George Haven Putnam's *Books and their Makers during the Middle Ages: a Study of the Conditions of the Production and Distribution of Literature from the Fall of the Roman Empire to the Close of the Seventeenth Century*, is intended, as the sub-title shows, to cover a larger period than simply that of the Middle Ages. The first volume, now published (New York, G. P. Putnam's Sons, 1896, pp. xxxviii, 459), covers the years from 476 to 1600; the second will extend to 1709. The first part of the present volume is devoted to the making of books in monasteries, to libraries of the manuscript period, to the making of books in the early universities, and to the book trade in the period before the invention of printing. The second part discusses the Renaissance as the background to the early history of printing, the history of that invention itself, and the work of the earlier printers and publishers of Holland, Germany, and Italy.

The Syndicate of the Cambridge University Press has done well to print the most valuable portions of certain previously unnoticed records of the Peasant Revolt which Mr. Edgar Powell has recently discovered (*The Rising in East Anglia in 1381, with an Appendix containing the Suffolk Poll-Tax Lists for that Year*. Cambridge, University Press; New York, Macmillan, 1896, pp. 164). These consist not only, as the title-page might suggest, of poll-tax lists, but also of transcripts of a number of indictments of rioters, and a long excerpt from a contemporary account of the attack on the Abbey of Bury by its almoner, John Gosford. With the aid of the indictments Mr. Powell has drawn up a detailed account, not always indeed very elegantly expressed, of the external facts of the rising in Suffolk, Norfolk, and Cambridgeshire; and in this narrative of his, certain features of the movement stand out with a new clearness, especially the eagerness of the rebels to burn court rolls. Walsingham had informed us of this circumstance in general terms; his statement is now confirmed by scores of instances. Inasmuch as the indictments are usually for murder or theft, they tell us little of the motives which led to the rising; and it cannot be said that Mr. Powell's remarks do much to remove the inconsistencies and vaguenesses which characterize most modern accounts. He thinks it had something to do with the Statutes of Laborers, and he thinks, at the same time, that it was connected with villein services: the relation, if any, between these two explanations, he does not seek to determine. Yet the student of the period will be grateful for the new material Mr. Powell puts in his hands; and not least for an account which appears in

his text (p. 64), though the original record is, unfortunately, not printed, which shows that the demand for commutation of services at the rate of fourpence an acre was persisted in, in one Suffolk village, for three years after the rising had been suppressed. Mr. Powell's conclusion that "the rising was the matured result of a comprehensive plan, carried out by means of a more or less perfect organization, extending throughout the Eastern Counties" (p. 57), which he bases on a statement in an indictment to the effect that a certain person had given himself out as "nuntius magnæ societatis" (translated by Mr. Powell "messenger of a great society"), becomes doubtful when this passage is compared with others in which the same phrase occurs; especially, pages 134, 137. Probably the words "magna societas" mean no more than a large body of men bent on a common purpose, and refer to the insurgents already congregated.

W. J. A.

*The Universities of Aberdeen: A History*, by Robert Sangster Rait, M.A. (Aberdeen, J. G. Bisset, 1895, pp. xii, 382), is a careful, interesting, and well-proportioned narrative of the parallel history of King's and Marischal Colleges, known since 1860 as the University of Aberdeen. The interest of the volume is not limited to graduates of the northern university. While its story of the rivalries and jealousies of the two Aberdeen institutions must especially appeal to them, this is only a part of the larger history of the slow development of the Scottish university system itself, by the labors of successive parliamentary commissions, to its present form; while this, again, is an integral and important factor of the general intellectual and religious history of the country.

The unsatisfactory point about *The Journal of a Spy in Paris during the Reign of Terror, January-July, 1794*, by Raoul Hesdin (New York, Harper and Brothers, 1896, pp. xxiii, 204), is that no evidence is given of its authenticity. It is nowhere stated in the preface that the original manuscript is preserved in any public or private collection, and the editor gives neither name nor initials upon the title-page or anywhere else. Of course this omission of necessary information may be merely an oversight, for the unknown editor describes the manuscript he has published, though without stating when or how it came into his hands; but historical students at the present time cannot be too careful in insisting that evidence of authenticity shall always be given before they take into serious consideration any new historical document. Apart from this blemish—a most important one, it must be admitted—the editor has done his work well and shows in his notes a very considerable knowledge of the latest literature upon the French Revolution. The period covered by the diary is the last six months of the Reign of Terror; but it concludes, possibly from the loss of the last leaves, before coming to the Revolution of the 9th Thermidor, when Robespierre was overthrown and the Terror came to an end. It cannot be said that the *Journal* throws any new light on the history of Paris

during the Reign of Terror, a fact which further throws doubt upon the authenticity of the *Journal* in the absence of information as to the whereabouts of the original; but the side-lights thrown on social life during the time of great dramatic interest make it worthy of perusal by all who study the history of the French Revolution.

H. M. S.

A charming volume of gossip is *La Vie à Paris pendant une Année de la Révolution (1791-1792)*, by Gustave Isambert (Paris, Félix Alcan, 1896, pp. viii, 324). The author is a scholarly journalist, well versed in all the literature of the French Revolution, who undertook during the year 1891 to write a series of articles for the *Temps*, of Paris, describing the manner of life of Parisians in 1791, in connection with the political events of that most important year in the history of the French Revolution. The idea of celebrating a centenary in this fashion was excellent and the newspapers of Paris have ever since 1889 filled up their spare columns with sketches recording the various striking events and picturesque doings of the period of the French Revolution. Most of these articles are rapidly written and have no permanent value. But M. Isambert is something more than a journalist; he is a scholar as well, and it would have been a great pity if his learned and spirited articles had gone the way of ordinary newspaper articles. M. Isambert has not attempted to write a history of the year which elapsed from 20 June, 1791, when the king and queen and the royal children left Paris in their ill-starred attempt to escape from France which was stopped at Varennes, to 20 June, 1792, on which day the mob of Paris invaded the Tuileries and made evident to all France that the power of the Bourbon monarchy had departed; his chapters treat of such matters as costume, the theatre, the life of the cafés, popular songs and caricatures, and the characteristics of social life during that most interesting twelve-month rather than of the causes and sequence of political events. Charmingly written, giving evidence on every page of wide reading and historical sense, carefully supplied with footnotes and references, M. Isambert's volume may be cordially recommended not only to historical students of the French Revolution, but to all classes of general readers who take an interest in the social life of a century ago.

H. M. S.

*The Development of Parliament during the Nineteenth Century*, by G. Lowes Dickenson, Fellow of King's College, Cambridge (London and New York, Longmans, Green and Co., 1895, pp. viii, 183), is a concise presentation of the great revolution in government which England has undergone in the present century. The book is written from a conservative point of view. A hundred years ago power lay with a small aristocracy. To-day it is in the hands of a vast democracy. "The power has been transferred from the control of a compact and vigorous aristocracy to that of a democracy which in fact, though not in outward form, is more complete and more uncontrolled than any at present existing in any first-class state." The author traces the changes from the reform

bill of 1832 to the acts of 1884 and 1885, showing that the parliament man has ceased to be a representative and has become a mere delegate, and that thus debates are ceasing to be more than a form, parliamentary votes being predetermined by a political programme — what we should call a “platform.” One chapter is devoted to the House of Lords as the exponent of historic privilege, and another to the socialistic tendency of democracy. In conclusion, there is a discussion of what the democrats want to do with the government when they get final control, and of the dangers implied in a socialistic democracy.

Mr. Dickenson's plea is more than plausible in some respects. The fact is that the tendency in England has been towards a democratic unicameral parliament — and that with cabinet government means simply the autocracy of the temporary majority among the masses. We in America with all our democracy have shunned such a democratic despotism by a most elaborate system of checks and balances. So far as form of government goes, it is only the existence of the House of Lords which now keeps England from the system of the French Convention of 1793. The American republic has a less democratic constitution than the British monarchy.

It is a curious fact that the law lectures of James Wilson have so long lain neglected in the original and scarce edition of 1804; they have been unused by students of law, little referred to by students of politics, and unknown to the ordinary reader of American history. Yet they contain an intensely interesting commentary on the Constitution, written by a man who was himself one of the greatest and ablest men of the Philadelphia convention. They are quite comparable to Blackstone's lectures in profundity and learning; and they give an illuminating example of how the founders of our government looked upon the fundamental principles of the state.

A new edition of Wilson's *Works* has just issued from the press, edited by Mr. James De Witt Andrews (*The Works of James Wilson*, Chicago, Callaghan and Co., 1896, two volumes, pp. xlvi, 577, 623). It is unfortunate that the volumes do not reproduce all of the contents of the first edition, inasmuch as the title has been taken. The law lectures are, however, given in full and have been separately annotated. The editor has cherished the hope that the volumes would be used by law students as the basis of their studies; but there seems little ground for such expectation. The lectures are so crammed with erudite and obsolete learning, that they are oftentimes a weariness to the reader who seeks Wilson's idea of law and not his comments on the customs of the Medes or the Egyptians. The editor has been wise in not intruding his own ideas in the shape of useless notes. The lectures speak for themselves. To the first volume a long argumentative note is appended, which shows how completely the editor has come under the spell of the author. Mr. Andrews argues with great earnestness that not the male voters, but the whole people — men, women,

and babes — are the possessors of political sovereignty in America. Otherwise, what would become of Wilson's oft-repeated assertion that laws obtain their validity only from the consent of the governed? On the whole, the editing has been sensibly done, and students of history and law may be grateful that these profoundly interesting lectures are thus again made widely accessible.

A. C. McL.

Mr. S. M. Hamilton, to whom every student of history who pursues researches in the manuscript collections of the Department of State at Washington is constantly indebted, proposes to issue an extensive series of facsimiles of manuscripts from the national archives. They will be published by the Public Opinion Co., Astor Place, New York City, as *The Hamilton Facsimiles*. Such a series of documents, showing perfectly the handwriting, erasures, interlineations, and signatures of state papers of historical importance, will surely be appreciated by scholars. The expense would ordinarily occur to the mind as an objection to the extensive use of collections so prepared; but Mr. Hamilton promises all possible cheapness. The first issue — a handsome thin quarto — contains documents relating to the Monroe Declaration; five letters which passed between Jefferson, Madison, and Monroe in October and November, 1823; the appropriate extracts from the message of December 2; and a letter of Richard Rush to Monroe, of January 28, 1824. Part II. will contain several famous letters of the Revolutionary period, and documents of the boyhood of Washington. The papers in the third part will relate to the treason of Benedict Arnold.

Miss Elizabeth H. Avery's *The Influence of French Immigration on the Political History of the United States*, a thesis for the doctor's degree at the University of Minnesota, deals with the influence of the Huguenots in the period before 1790, and with the history of the French Catholics in the Northwest and in the Louisiana Purchase, since their acquisition. Plainly no effort is made to take account of the French immigrants who flocked into the country at the time of the French Revolution, in consequence of the revolt in Santo Domingo, or in consequence of the fall of Napoleon. Within the limits of the subject as it is understood by the writer, she does her work carefully, modestly, and with good judgment as to the conclusions reached. It is not so clear that the necessity of working from the sources alone rather than from secondary authorities, as an essential characteristic of work for the doctor's degree, has been kept before the mind of the writer.

*Citizenship and Suffrage in Maryland*, by Bernard C. Steiner (Baltimore, Cushing and Co., 1895, pp. 95), is both historical and descriptive. Mr. Steiner discusses the methods by which citizenship has been attained in Maryland since the foundation of the colony, and the privileges granted to aliens, gives a history of the suffrage



laws, and then an analysis of the present election laws of the state. The study is a careful piece of work, and is a contribution both to local history and to an important branch of political science in the United States. The general awakening to an interest in good government, state and municipal, it is to be hoped will yield still further fruit in the scholarly study of the evolution of existing state institutions.

*Stimmrecht und Einzelstaat in den Vereinigten Staaten von Nordamerika*, von Dr. Otis Harrison Fisk (Leipzig, Duncker and Humblot, 1896). This discussion of essential points in the political system of the United States is addressed to a German audience. Its aim is to elucidate the legal status of the states as related to the Union and to explain the basis of suffrage in the several states. The author takes the ground that there was no legal government common to the Union until the adoption of the Constitution; that during the Revolution the states were sovereign; that the Confederation was a league of sovereign states; and that state sovereignty was surrendered only under the Constitution. He explains clearly the dual system of our government and shows how the sovereign people have distributed governmental powers between the two agencies, federal and state. Dr. Fisk has done his work with commendable thoroughness, and the minuteness with which he has cited his authorities point by point is especially Germanesque.

A handsome and interesting volume, commemorative of Thomas Corwin, has been prepared at the instance of various friends and neighbors in Lebanon, Ohio, where he lived (*Life and Speeches of Thomas Corwin, Orator, Lawyer, and Statesman*, edited by Josiah Morrow, Cincinnati, W. H. Anderson & Co., 1896, pp. 477). They spent some years in gathering and preparing materials, and confided to Mr. Morrow, Corwin's last law-student, the work of editing them. He has prepared a brief biography, of less than a hundred pages, in which the greatest amount of new matter is that relating to Corwin's first entrance into political life and his first election to Congress. The remainder of the volume is taken up with Corwin's speeches, delivered in Ohio and in the federal Senate and House of Representatives. The volume is supposed to contain all his speeches that were reported and revised for publication in his lifetime. They are not arranged in a chronological order.

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[Believing that interest in the history of the nominating convention will, during the present summer, be especially active, and hoping that this interest may lead various investigators into those local studies from which alone the history of the institution in its earlier stages can be elaborated, the managing editor presents the following list. His intention has been to include all pamphlets emanating from party conventions (*of delegates*, not mass conventions) during the period from 1789 to the end of 1832, to a time, that is, when the practice of making presidential nominations through conventions had become fully adopted by the national parties. A few pamphlets published by individuals have also been included, which show the existence of certain conventions that did not themselves publish their proceedings. The capital letters at the end of the titles indicate the presence of copies in the following libraries, respectively: A, the Astor Library; AAS, the library of the American Antiquarian Society at Worcester; B, the Boston Public Library; BA, that of the Boston Athenæum; BU, that of Brown University; C, that of Congress at Washington; E, that of the Essex Institute at Salem; H, that of Harvard University; L, the Lenox Library; M, that of the Massachusetts Historical Society; NYH, that of the New York Historical Society; NYS, that of the State of New York at Albany; PH, that of the Historical Society of Pennsylvania; PL, that of the Library Company of Philadelphia; Y, that of Yale University. The order is chronological. The list is no doubt incomplete and otherwise imperfect. Titles have in many cases been taken into it at second hand from catalogues. But it is thought that it may serve the uses of historical students almost as well as if, after long labors and delays, it were based upon a personal inspection of every pamphlet mentioned. For a considerable part of the details embraced in the list, the compiler is indebted to the members of his seminary, and to the several librarians. Their aid is gratefully acknowledged.]

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Proceedings and Address of the Anti-Jackson Convention of Missouri, to their Fellow-Citizens. Fayette, [1828.] Pp. 47. Sabin 49628. B.

Proceedings of the Democratic Convention, . . . at Harrisburg, January 4, 1828. Harrisburg, 1828. Sabin 60412. BA.

Proceedings and Address of the New-Jersey State Convention, Assembled at Trenton, on the eighth day of January, 1828, which nominated Andrew Jackson for President, John C. Calhoun for Vice-President, of the United States. Trenton, 1828. Pp. 20. C, PH, PL.

Proceedings of the Democratic Convention held at Harrisburg, Pennsylvania, January 8, 1828. [No title-page.] Harrisburg, n. d. Pp. 16.

BA.

Letters addressed to John Sergeant, Manuel Eyre, Lawrence Lewis, Clement C. Biddle, and Joseph P. Norris, esqs. authors of an address to the people of Pennsylvania Adopted at a Meeting of the Friends to the Election of John Quincy Adams, held in Philadelphia, July 7, 1828: containing Strictures on their Address. By the committee of correspondence, of Philadelphia, Appointed by a Republican Convention, held at Harrisburg, January 8, 1828. Philadelphia, 1828. Pp. 88.

A, BA, C, NYH, NYS, PL, Y.

Address of the Republican Committee of Correspondence of Philadelphia to the People of the United States. [Dated July 26 1828. Committee appointed by the Republican Convention which assembled at Harrisburg on January 8.] Philadelphia, 1828. Pp. 12. NYS.

Proceedings of the Anti-Jackson Convention, Held at the Capitol in the City of Richmond [January 8, 1828]: With their Address to the People of Virginia. (Accompanied by Documents.) Richmond, 1828. Pp. 38.

Sabin 71188. BA, H, PH.

The Virginia Address. A Convention of Delegates, appointed by Public Meetings in the several Counties of the Commonwealth of Virginia, for the purpose of adopting measures to prevent the election of General Jackson to the Presidency, assembled, to the number of 220, in the Capitol, in the City of Richmond, on Tuesday the 8th of January [1828. Richmond, 1828]. Pp. 8.

C, PH, Y.

The Proceedings and Address of the Ohio Jackson Convention, assembled at Columbus on the Eighth of January, 1828, to nominate an electoral ticket favorable to the election of Andrew Jackson to the next Presidency of the United States. [n. p.] 1828. Pp. 15.

BA.

Anti-Masonic Proceedings. At a Convention of Freemasons, opposed to Secret Societies, held at Le Roy, in the county of Genesee, N. Y., on Tuesday, February 19th, 1828, . . . Pp. 16.

NYH.

Masonry Unveiled. At a Convention of Free Masons, opposed to secret societies, held at Le Roy, in the county of Genesee, N. Y., on Tuesday, February 19th, 1828. [This forms pp. 13-23 of the Proceedings of a Convention at Le Roy, Mar. 6, 1828.]

NYS.

Proceedings and Address of the New-Jersey Delegates in favor of the Present Administration of the General Government, Assembled in Convention at Trenton, February 22, 1828. Trenton, [1828.] Pp. 18.

Sabin 53205. BA, C, PH.

Proceedings of a Convention of Delegates opposed to Free Masonry, which met at Le Roy, Genesee Co., N. Y., March 6, 1828. Rochester, 1828. Pp. 23.

Sabin 65787. B, NYS, PH, Y.

Address of the Central Committee Appointed by a Convention of . . . the Legislature friendly to the election of John Q. Adams . . . and Rich<sup>d</sup> Rush . . . held at . . . Boston, June 10, 1828. [No title-page.] Pp. 24.

BA, PH.

Proceedings and Address of the New-Hampshire Republican State Convention of Delegates friendly to the election of Andrew Jackson to the next Presidency of the United States, assembled at Concord, June 11 and 12, 1828. Concord, 1828. Pp. 32.

Sabin 65753. C, NYH, Y.

Report of the State Convention held at . . . Albany [June 10, 11, 1828], to select . . . Candidates for President and Vice-President of the United States of America. New York, 1828. Pp. 42.

Sabin 69910. B, PH.

Resolutions and Address of the same Convention. [No title-page.] Pp. 33.

PH.

Address of the State Convention of Delegates [June 10, 11, 1828] from the Several Counties of . . . New-York To the People, on the subject of the approaching Presidential Election. Albany, 1828. Pp. 16.

Sabin 53491. NYS.

Address of the Great State Convention of Friends of the Administration, assembled at the Capitol in Concord, June 12, 1828, with the Speech of Mr. Bartlett, in reply to the Charges which have been made against Mr. Adams. Concord, 1828. Pp. 24. Sabin 52790. B, C, H, PH, Y.

Proceedings and Address of the Vermont Republican Convention friendly to the Election of Andrew Jackson to the Next Presidency of the United States, holden at Montpelier, June 27, 1828. Montpelier, 1828. Pp. 24. Y.

An Oration: delivered, by appointment, on the Fourth Day of July, A.D. 1828, in presence of the Convention of Seceding Free Masons, and a vast concourse of their fellow-citizens, at the Presbyterian Church, in the Village of Le Roy, in the County of Genesee, and State of New York. By Solomon Southwick, President of the Convention, and once a Mark Master Mason. Albany, 1828. Pp. 84. AAS, B, BU, H, M, NYS.

Address to the people of Connecticut, adopted at the State Convention held at Middletown, August 7, 1828. With the proceedings of the Convention. Pp. 24. Hartford, 1828. Sabin 15652. C, PH, Y.

Administration Convention of Young Men. Address of the general committee of Republican young men of the city of New-York to the Republican young men of the state of New-York, recommending a state convention to be held at Utica, on Tuesday, Aug. 12, 1828. [n. p. n. d.] NYS.

State Convention. Proceedings and Address of the Republican Young Men of the State of New York, assembled at Utica, on the 12th day of August, 1828. Utica, 1828. Pp. 24. [Another edition, pp. 29.]

Sabin 53714. B, BA, NYS, PL.

Proceedings and Address of the Convention of Young Men in Rockingham Councillor District, held at Epping, September 10, 1828. [n. p. n. d.] Pp. 8. Sabin 65752. BA, H.

*Albany Argus*, Extra. Tuesday, October 7, 1828. Republican ticket . . . Republican State Convention. . . . Herkimer, . . . Sept. 24, 1828. [No title-page.] Pp. 33-40. NYS.

Proceedings of the Convention of Republican Young Men of the State of New York, friendly to the Election of General Andrew Jackson, to the Presidency; held at Herkimer, Oct. 6, 1828. [*Troy Budget*, Extra.] Pp. 16. Y.

Serious Call, or Masonry Revealed, being an address prepared by the Antimasonic Convention at Woodstock, [Conn.] Boston, 1829. AAS.

Supplement to the *National Observer*, March 4, 1829. Speech of Solomon Southwick, at the opening of the New-York Anti-Masonic State Convention, at the Capitol, in Albany, February 19th, 1829. Containing, 1. A concise statement of every important fact, relating to the Masonic outrages on William Morgan and David C. Miller. 2. A concise statement of every important fact, amounting to a presumptive proof of the murder of William Morgan at or near Fort Niagara. To which is added, The Declaration of Independence, agreed upon and published by the Conven-

tion of Seceding Masons, at Le Roy, on the 4th of July, 1828, with the names of the signers. Albany, 1829. Pp. 16. AAS, B, BU, PH.

Proceedings of a Convention of Delegates, from the different Counties in the State of New-York, opposed to Free-Masonry. Held at the Capitol in the City of Albany, on the 19th, 20th and 21st days of February, 1829. Rochester, 1829. Pp. 40. Sabin 65784. BA, BU, M, NYH, NYS, PH, PL.

Proceedings and Address of the Antimasonic State Convention . . . at Harrisburg, June 25, 1829. Newport, R. I., 1829. Pp. 26. R.I.Hist.Soc.

Moses Thacher, Address before the Anti-masonic Convention [of Plymouth County] at Halifax, Mass., December 9, 1829. Boston, 1830.

B, PL.

Address to the People. Anti Masonic State Convention holden at Boston, December 30, 1829. [n. p. n. d.] AAS.

Proceedings of the Anti-Masonic State Convention, in Faneuil Hall, Boston, Dec. 30 and 31, 1829, and Jan. 1, 1830. Boston, 1830. Pp. 32.

Sabin 45941. AAS, B, NYS.

An Abstract of the Proceedings of the Anti-Masonic State Convention of Massachusetts, held in Faneuil Hall, Boston, Dec. 30 and 31, 1829, and Jan. 1, 1830. Boston, Jan., 1830. Pp. 32.

Sabin 45548. AAS, B, BA, BU, M, NYH, NYS, PH, PL, Y.

A Brief Report of the Debates in the Anti-Masonic State Convention of the Commonwealth of Massachusetts, held in Faneuil Hall, Boston, December 30, 31, 1829, and January 1, 1830. Boston, 1830. Pp. 48.

Sabin 45659. B, BA, BU, C, M, NYS, PH, PL, Y.

Address of the Convention of National Republicans, at Baltimore, to the Voters of Maryland. [Baltimore, 1830.] Pp. 8. Sabin 45050.

Alabama Anti-Masonic Convention. Proceedings of the adjourned meeting at Cahawba. Selma, Ala., 1830. Proceedings and Address at the meeting in Tuscaloosa Co. Tuscaloosa, 1830. Sabin 556. B.

Proceedings of the Anti-Masonic Convention of the County of Cayuga, held . . . January 1, 1830. With their Address . . . Auburn, 1830. Pp. 21, (1).

Sabin 65820. B.

Proceedings of the Anti-masonic State Convention of Connecticut, at Hartford, Feb. 3 and 4, 1830. Hartford, 1830. Sabin 15795. AAS, B, Y.

Clarke (John). Address to the People of Pennsylvania, read to the Anti-Masonic Convention, Feb. 25. Lancaster, 1830. Pp. 34.

Sabin 13427. AAS, B, C.

Proceedings of a Convention of Young Men, of the County of Washington, . . . at Hartford, April 16, 1830. . . . Union Village, N. Y., 1830. Pp. 19.

Sabin 65791. B, NYH.

Proceedings of The Anti-Masonic State Convention holden at Montpelier, [Vt.,] June 23, 24, and 25, 1830. With reports, addresses, etc. Middlebury, 1830. Pp. 35.

B, BU.

Proceedings of the State Convention at Canton, [Ohio], 21st July. [n. p. 1830.] Sabin 57027. B.

Proceedings of the Anti Masonic Convention for the State of New

York: held at Utica, August 11, 1830. With the Address and Resolutions. Utica, 1830. Pp. 16. Sabin 65819. L, M, NYS, Y.

The Proceedings of the United States Anti-Masonic Convention, held at Philadelphia, Sept. 11, 1830. Embracing the Journal of Proceedings, the Reports, the Debates, and the Address to the People. Philadelphia, New York, Albany, Utica, Ithaca, Hartford, Boston, 1830. Pp. 164.

A, AAS, B, BA, BU, M, NYS, PH, Y.

The Address of the United States Anti-Masonic Convention, held in Philadelphia, September 11, 1830. To the People of the United States. Adopted upon the report of the committee, of which Myron Holley of New York was chairman. Philadelphia, New York, Albany, Utica, Hartford, Boston, 1830. Pp. 22. Sabin 45492. AAS, BU, M, NYS, PH, PL, Y.

Proceedings of the National Republican Convention held at Frankfort, Kentucky, . . . December 9, 1830. [n. p. n. d.] Pp. 19.

Sabin 65895. B.

An Abstract of the Proceedings of the Antimasonic State Convention of Massachusetts, held in Faneuil Hall, Boston, May 19 and 20, 1831. Boston, 1831. Pp. 78. Sabin 45548. AAS, B, BU, CM, NYS, PH, Y.

Proceedings of the Anti-Masonic State Convention, Held at Harrisburg, on the 25th of May, 1831. [Harrisburg, n. d.] Pp. 19. PH.

Proceedings of the Anti Masonic State Convention Holden at Montpelier, [Vt.,] June 15-16, 1831, with Reports, Addresses, etc. Montpelier, 1831. AAS.

Proceedings of the Rhode-Island Anti-Masonic State Convention. September 14, 1831. Providence, 1831. Pp. 31. AAS, B, BU, NYS.

The Proceedings of the Second United States Anti-Masonic Convention, held at Baltimore, September [26], 1831: Journal and Reports, nomination of candidates for president and vice president of the United States, Letters of Acceptance, Resolutions, and the Address to the People. Boston, 1832. Pp. 88. A, AAS, B, BU, L, M, NYS, PH, PL.

Proceedings of a Convention of Republican Antimasonic Delegates, Saratoga County, N. Y., 8th October, 1831; with an Address . . . before the Convention by Hon. John W. Taylor. Ballston Spa, 1831. Pp. 16.

Sabin 65760. B, M.

Journal of the National Republican Convention, which assembled in the City of Baltimore, Dec. 12, 1831, for the Nomination of Candidates to fill the offices of President and Vice President. Published by order of the convention. Washington, [1832.] Pp. 32.

Sabin 36729. A, AAS, B, BA, BU, C, H, M, NYS, PH, Y.

Address, of the Republican Delegates of the State of New York. [New York, 1832.] Pp. 24. L.

Proceedings of the National Republican Convention [of Pennsylvania]. [n. p. 1832.] Pp. 4. Sabin 60421.

Proceedings of the Democratic Antimasonic State Convention, . . . Harrisburg, Feb. 22, 1832. Harrisburg, [1832]. Pp. 16.

Sabin 60411. NYS, PH.

Address of the Committee of Correspondence for . . . Philadelphia, appointed by the Democratic Convention of . . . Pennsylvania, . . . March 5, 1832. [n. p. n. d.] Pp. 8. Sabin 61423.

Proceedings of the Democratic Convention, . . . at Harrisburg, March 5, 1832. Pp. 24. Sabin 60412.

Verhandlungen der Demokratischen Convention, gehalten zu Harrisburg, Pennsylvania, den 5ten März, 1832. [n. p. 1832.] Pp. 20.

Sabin 60763.

Proceedings of the National Republican Convention of Young Men, which assembled in the city of Washington, May 7, 1832. Washington, 1832, Pp. 24. Sabin 65896. AAS, B, BA, C, L, M, NYS, Y.

Summary of the Proceedings of a Convention of Republican Delegates, from the several states in the Union, for the purpose of nominating a candidate for the office of vice-president of the United States; held at Baltimore, in the State of Maryland, May [21-23], 1832: with an Address, to the Republicans of the State of New York, prepared by their delegates, in compliance with the recommendation of said convention. Albany, 1832. Pp. 24. Sabin 36692. A, AAS, BU, NYS.

Kent, and others. An Address to the People of Maryland from their delegates in the late National Republican Convention made in obedience to a resolution of that body. [May 21-23, 1832.] Baltimore, 1832. Pp. 62. Sabin 37479. A, AAS, B, C, NYS, PH, PL.

Proceedings of the National Republican Convention, held at Harrisburg, Pennsylvania, May 29, 1832. Together with the Address and Appendix. Easton, n. d. Pp. 18. PH.

Proceedings of the Jackson and Barbour Convention of North Carolina [June, 1832. Raleigh, 1832]. Pp. 8. A.

Proceedings of the Democratic Republican State Convention, holden at Concord, June 20, 1832. [Published by Order of the Convention.] Concord, 1832. Pp. 10. Y.

*Evening Journal*, Extra. Antimasonic Republican State Convention, New York. Proceedings, at Utica, June 21, 1832. [Proceedings and Address. No title-page.] Pp. 8. NYS.

An Address delivered before the Members of the Anti-Masonic State Convention; assembled at Augusta, Maine, July 4, 1832. By Moses Thacher, pastor of the church and minister of the Cleaveland Religious Society in North Wrentham, Mass. [Published by vote of the Convention.] Hallowell, 1832. Pp. 32. B, BU, C, NYS, PH, Y.

Antimasonic Republican Convention, of Massachusetts, held at Worcester, Sept. 5th and 6th, 1832. For the nomination of candidates for electors of president and vice president of the United States, and for governor and lt. governor of Massachusetts. Proceedings, Resolutions, and Address to the People. Boston, 1832. Pp. 55. A, AAS, B, BU, M, NYH, NYS, PH, Y.

*Daily Advocate* — Extra. — Address of the Antimasonic Republican Convention, to the People of Massachusetts. Held at Worcester, Sept. 5th and 6th, 1832. [1832.] Pp. 8. AAS, BU.



Resolutions and Address of the Republican members of the Legislature of the state of New York, 1832. Albany, 1832. Pp. 7. [Calling a convention at Herkimer, Sept. 19, 1832.] NYS.

*Albany Argus* . . . Extra. Address of the Republican State Convention [assembled at Herkimer, Sept. 19, 1832, to the Jackson Democracy of New York]. Honor and Gratitude to the Man who has filled the measure of his Country's Glory! [Albany, 1832.] Pp. 24. NYS, Y.

Journal of the Proceedings of the National Republican Convention, held at Worcester, October 11, 1832. Published by order of the convention. Boston, 1832. Pp. 75.

Sabin 36741. AAS, B, BA, BU, C, L, M, NYS, PH, PL, Y.

Proceedings of the State Convention of National Republican Young Men, holden at Hartford, on Wednesday, October 17, 1832. Hartford, [1832.] Pp. 16.

Sabin 15794. AAS, BU, Y.

Report of the Committee of the Convention of the Union and State Rights Party, assembled at Columbia [S.C.], December 10, 1832, with their Remonstrance and Protest. [n. p. n. d.] Pp. 8. BA.

## 2. *Records of New England Towns.*

The following titles were omitted from the list of printed records of New England towns given in our last issue:—

Portsmouth, N. H. — The First Book of the Town Records.

Dedham, Mass. — The Early Records of the Town of Dedham, Massachusetts, 1636–1659. A complete Transcript of Book One of the General Records of the Town, together with the Selectmen's Day Book, covering a portion of the same period, being Volume Three of the printed Records of the Town. Edited by the Town Clerk, Don Gleason Hill. (Dedham, 1892, pp. xvi, 237.)

The Early Records of the Town of Dedham, Massachusetts, 1659–1673. A complete Transcript of the Town Meeting and Selectmen's Records contained in Book Three of the General Records of the Town, together with an Appendix containing Transcripts from the Massachusetts Archives, and from the General Court Records, 1635–1673, and a List of Deputies to the General Court, prior to 1696, being Volume Four of the printed Records of the Town. Edited by the Town Clerk, Don Gleason Hill. (Dedham, 1894, pp. x, 304.)

The Records of the Town Meetings and Abstracts of Births, Marriages, and Deaths in the town of Dedham, Massachusetts, 1887–1896, reprinted from the Annual Town Reports, and furnished with an Index by Don Gleason Hill, Town Clerk. (Dedham, 1896, pp. 700 ca. — Only 50 copies published.)

Rowley, Mass. — The Early Records of the Town of Rowley, Massachusetts, 1639–1672. Being Volume One of the printed Records of the

Town. Printed under the direction of Benjamin P. Mighill, Town Clerk, and George B. Blodgette, A.M. A committee of the town. (Rowley, Mass. 1894. Pp. xv, 255.)

We have received the following communication from Mr. Horace V. Winchell, late Assistant State Geologist of Minnesota :—

“ In the second number of the *AMERICAN HISTORICAL REVIEW*, on page 237, the statement is made by Mr. H. C. Campbell, with reference to Radisson and Groseilliers, that ‘ they were the first white men to reach Lake Superior.’

“ In view of the fact that Jean Nicollet is known to have visited the rapids of Sault Ste. Marie, and to have spent some time resting in camp at that point in 1634, several years prior to the excursion of Radisson and Groseilliers, it seems as though it would be more accurate and less likely to convey an erroneous impression, to say that Radisson and Groseilliers were the first white men to visit and explore Lake Superior ; but that the lake was first reached by Jean Nicollet.

“ It may be urged that Sault Ste. Marie is not Lake Superior, and that it is on St. Mary's River, some distance from Lake Superior. But the fact is, the rapids called the ‘ Sault ’ are immediately at the foot of Whitefish Bay, the eastern extremity of Lake Superior. The rapids are not long, and from their head the broad open lake can be seen. It is altogether likely, in fact it must of necessity be, that there was a portage trail which connected the canoe landings both above and below the rapids on both sides of the river. This trail would not have been more than a mile in length, and was undoubtedly used constantly by the Indians living there, as well as by those who were passing by.

“ Now when it is considered that Nicollet was an indefatigable explorer, that he was on an exploring expedition at this time, and that he remained several weeks at Sault Ste. Marie, it would seem to be next to impossible that he should not have walked up the portage trail, that he did not once see the great lake which his Indian companions must have told him furnished the water for that mighty torrent, nor launch his canoe on the bosom of that newly discovered inland sea.”

To this Mr. Campbell replies in substance, in a letter received too late to be inserted entire, that the assertion that Jean Nicollet visited Lake Superior in 1634 rests solely upon conjecture ; that none of the primary authorities, such as the *Jesuit Relations*, contain any evidence to support it ; and that all the most important secondary authorities agree in disbelieving it.

## NOTES AND NEWS

The death of Heinrich Gotthard von Treitschke removes the last (with the exception of Mommsen) of that group of great German historians who, fifteen or twenty years ago, made Berlin the capital of the historical world. Though Treitschke was very far from exemplifying that pure objectivity of treatment which the greatest members of the group inculcated, and will therefore never be placed upon the same level with the chief masters of history, his talent and power were such as to win him extraordinary influence and repute. Treitschke was born at Dresden on September 15, 1834, and died on April 28, 1896. After obtaining the doctorate at Leipzig in 1858, he taught political economy for some time in the academy of rural economy at Lutzschena. In 1863 he was called to a professorship at Freiburg-im-Breisgau, which, however, he characteristically abandoned in 1866, when Baden sided with Austria against Prussia. Filled with zeal for German unity, he went to Berlin, and became editor of the *Preussische Jahrbücher*. After some years' service at Heidelberg, — 1867-1874, — he, in the latter year, obtained the chair at Berlin which he has since held, and from which, as a teacher of modern German history imbued with Prussian sentiments, he exerted so great an influence upon young Germany. In spite of deafness and imperfect articulation, he was one of the most successful lecturers in the university. He had many of the best gifts of the orator, as was evinced not only before academic audiences, but in the Reichstag, of which he was a member from 1871 to 1888, at first as a National Liberal and later as a Conservative. But his gifts of research and presentation were at the service of vehement, though honest and manly, prejudices, and his teaching bred chauvinism as well as patriotism and the love of national unity. The same qualities marked and marred his books. The chief of them, his *Deutsche Geschichte im neunzehnten Jahrhundert*, of which five volumes have been published, 1879-1890, though brilliant and instructive in a high degree, cannot be read with equanimity by any one not German, can hardly be so read by any one not Prussian. Treitschke's minor writings include a collection of essays, *Historische und Politische Aufsätze*, of which, beginning with 1870, several editions have been published; *Der Socialismus und seine Gönner*, 1875; and *Zehn Jahre Deutscher Kämpfe*, published in the same year.

Professor Dr. Friedrich Heinrich Geffcken, who died at Munich on the first of May, was born in Hamburg in 1830. From 1854 to 1869 he was in the diplomatic service of the Hanse Towns; from 1872 to 1882, pro-

fessor of public law at Strassburg. He was more prominently connected with the study of political science and international law than with that of history, but published in the latter field one highly important work, *Staat und Kirche in ihrem Verhältniss geschichtlich entwickelt*, Berlin, 1875, which has been translated into English; and minor works on the *coup d'état* of 1851 and on the Crimean War. In September, 1888, he caused the publication in the *Deutsche Rundschau* of extracts from the diary of the Emperor Frederick in 1870-1871, for which he was imprisoned upon an accusation for high treason, but finally acquitted.

Victor Krause, of Berlin, who had been especially devoted to the Carolingian period, and edited a portion of the capitularies for the *Monumenta Germaniæ Historica*, died at Falkenstein, on March 9, aged thirty.

Dr. William H. Palmer, of Richmond, Va., an admirable antiquarian, who edited the earlier portion of the *Calendar of Virginia State Papers*, died on March 3, aged seventy-five.

Under the title, *Alte und neue Richtungen in der Geschichtswissenschaft* (Berlin, R. Gaertner, pp. 79), Professor Karl Lamprecht publishes two suggestive essays: I. "Ueber geschichtliche Auffassung und geschichtliche Methode"; II. "Ranke's Ideenlehre und die Jungrankianer."

The *Revue Internationale des Archives, des Bibliothèques et des Musées*, I. 4 (Archives, No. 2), contains an article upon Sybel as an archivist, an account of the Spanish archives, by Señor Rafael Altamira, and briefer articles upon the new examining board for the Prussian archives, on the proposed organization of the Italian archives, on those of Rumania, and on the new regulations in those of the Austrian ministry of the interior, and at the Vatican.

Dr. Max Heimbucher has published in the *Wissenschaftliche Handbibliothek* the first volume of an extensive treatise on *Die Orden und Kongregationen der katholischen Kirche* (Paderborn, Schöningh, 583 pp.).

#### ANCIENT HISTORY.

Messrs. Williams and Norgate publish the second volume of Kittel's *History of the Hebrews*, translated by the Rev. H. W. Hogg and the Rev. E. B. Speirs, under the immediate supervision of Professor Cheyne of Oxford.

A student's *History of Rome* has been published by Messrs. Longmans, Green and Co. The authors are Walter W. How, M.A., Fellow and Lecturer of Merton College, Oxford, and Henry D. Leigh, M.A., Fellow and Tutor of Corpus Christi College, Oxford.

A full and official account of the discoveries in the lake of Nemi may now be read in *Notizie degli Scavi* for October, 1895 (by F. Barnabei). See, also, G. Tommassetti, *Le Scoperte nel Lago di Nemi* (Nuova Antologia, December 1).

Noteworthy articles in periodicals: W. M. Flinders Petrie, *Egypt and Israel* (Contemporary Review, May); J. Gennadius, *Modern Archaeology: Recent Excavations in Greece* (Forum, May); F. Moreau, *Les Finances de la Royauté Homérique* (Revue des Études Grecques, XXXI.); J. B. Bury, *The History of the Names Hellas, Hellenes* (Journal of Hellenic Studies, XV. 2); J. B. Jevons, *Work and Wages in Athens* (Journal of Hellenic Studies, XV. 2); Tomaschek, *Die alten Thraken* (Sitzungsberichte der phil.-hist. Classe der k. Akad. der Wissenschaften in Wien, cxxx, cxxxi); J. Kromayer, *Kleine Forschungen zur Geschichte des zweiten Triumvirats* (Hermes, — XXXI. 1); H. F. Pelham, *The Emperor Claudius and the Chiefs of the Adui* (Classical Review, IX. 9); M. A. Roger, *Chronologie du Règne de Postumus* (Revue Historique, May).

#### MEDIAEVAL HISTORY.

The fifth volume of the English translation of Hefele's *History of the Councils of the Church* covers the period from 626 to the close of the Second Council of Nicæa in 787. It is understood that this is the final volume of the English translation.

It is understood that M. A. Giry intends to publish an extensive collection of the charters and documents of the Carolingian period.

In the series of *Translations and Reprints from the Original Sources of European History*, published by the historical department of the University of Pennsylvania, Vol. III., No. 2 consists of *Statistical Documents of the Middle Ages*, edited by Professor Roland P. Falkner. The documents translated include certain articles from the capitulary *De Villis* of Charlemagne, and an inventory of one of his estates; the instructions for the collection of the returns embraced in Domesday, and an extract from the survey itself; statistics of military forces in Germany in 1422; and accounts of the resources of Venice and other powers at about the same date.

Noteworthy articles in periodicals: J. G. C. Anderson, *The Campaign of Basil I. against the Paulicians* (Classical Review, April); Ellen M. Clerke, *Wanderings of Early Irish Saints on the Continent* (Dublin Review, April).

#### MODERN EUROPEAN HISTORY.

Dr. Richard Ehrenberg has published the first volume of a work called *Das Zeitalter der Fugger*. The first volume is entitled *Die Geldmächte des 16. Jahrhunderts* (Jena, G. Fischer, 420 pp.).

The late Mr. C. A. Fyffe's *History of Modern Europe (1792-1878)*, originally published in three volumes, has now been issued by Messrs. Henry Holt and Co., in a single volume (pp. xxiv, 1088), with such slight revisions, at the hands of Mrs. Fyffe, as she found to have been indicated by him as desirable.

Noteworthy articles in periodicals: Rev. T. B. Scannell, *Alexander VI.* (Dublin Review, April); J. Klaczko, *Rome et la Renaissance: Le Jeu de ce Monde, 1509-1512* (Revue des Deux Mondes, April 1); W. J. Onahan, *Scotland's Service to France* (American Catholic Quarterly Review, April); Kienast, *Friedrich II. und Ungarn* (Mittheilungen des k. k. Kriegsarchivs, IX.); K. Adam, *Kulturgeschichtliche Streifzüge durch das Jahr 1848-49, I.* (Zeitschrift für Kulturgeschichte, III. 4, 5); P. de la Gorce, *Napoléon III. et les Annexions Italiennes en 1859 et 1860* (Le Correspondant, March 10); M. G. Giacometti, *La Question de l'Annexion de Nice en 1860* (Revue des Deux Mondes, March 1).

#### GREAT BRITAIN AND IRELAND.

The recent historical publications of the English government include the first volume of the second series of the *Index of Chancery Proceedings*, extending from 1558 to 1579; the thirteenth volume (1622-1625) of the *Register of the Privy Council of Scotland*, edited by Professor David Masson; the second volume of "Border Papers," *Calendar of Letters and Papers relating to the Affairs of the Borders of England and Scotland* (1595-1603), edited by J. Bain; two volumes of the *Calendar of the Patent Rolls* (1334-1338 and 1377-1381); Vol. XI. (1578-1580) of the *Acts of the Privy Council of England*, edited by J. R. Dasent; Vol. XV. (1523-1529) of the *Rotuli Scaccarii Regum Scotorum*, edited by G. P. McNeill; and a volume (January 1598-March 1599) of the *Calendar of State Papers relating to Ireland*.

In the forty-sixth volume of the *Dictionary of National Biography*, the articles of most importance and interest to historical students are those on Cardinal Reginald Pole by Mr. James Gairdner, on Pope by Mr. Leslie Stephen, on Priestley by Alexander Gordon and P. J. Hartog, and on Prynne by Mr. C. H. Firth. American readers will also feel a special interest in Mr. W. P. Courtney's article on Governor Thomas Pownall, and in that of Mr. J. M. Rigg on Lord Camden. The volume extends from Pocock to Puckering.

The announcements of the Clarendon Press include Mr. C. Plummer's critical edition of Bede in two volumes, with introduction and notes; Bale's *Index Britanniae Scriptorum*, edited by Mr. R. L. Poole; the seventh and eighth volumes of the late Professor Thorold Rogers' *History of Agriculture and Prices*; and the first two volumes of a new edition of Bishop Burnet's *History of My Own Time*, edited by Mr. Osmund Airy.

A new and enlarged edition of Mr. Walter Rye's *Records and Record Searching* is announced by George Allen of London.

The trustees of the British Museum have begun the publication of a folio series of fac-similes of autographs in their possession, royal, historical, literary, and other.



Messrs. Sampson Low, Marston and Co. have in preparation, under the general editorship of Mr. W. Laird Clowes, an exhaustive *History of the British Navy* from the earliest times down to the present day. It is the work of the best-known naval writers both of England and of America, and will be very fully illustrated with portraits, plans, copies of contemporary pictures, fac-similes of documents, etc. The first volume, consisting of between five and six hundred pages, will bring the record down to about the reign of Elizabeth; later periods are being dealt with at considerably greater length.

The first part of Professor J. B. Thayer's *Law of Evidence* will be published about August 1 by Little, Brown and Co., in their Students' Series. It will contain his valuable papers on the older modes of trial and the development of the jury, which were published in the *Harvard Law Review*. These papers have been carefully revised, and much new matter has been added.

Messrs. Swan Sonnenschein and Co. announce the publication of the second volume of the inedited works of Richard Rolle of Hampole, edited from the manuscripts by Dr. Carl Horstmann, of Berlin.

Professor W. J. Ashley's *English Economic History*, Part I., has been translated into German by Robert Oppenheim, under the title *Englische Wirtschaftsgeschichte; eine Einleitung in die Entwicklung von Wirtschaftsleben und Wirtschaftslehre. I. Das Mittelalter* (Leipzig, Duncker und Humblot).

The Surtees Society has begun the publication (in its ninety-third volume) of *Extracts from the Records of the Merchant-Adventurers of Newcastle-upon-Tyne* (Durham, Andrews, pp. lii, 315).

The ninth volume of the *Camden Miscellany*, recently published by the Camden Society, contains a highly important collection of letters from Elizabeth's bishops to the Privy Council, written in 1564 in reply to questions asked by that body; and valuable new material relating to Strafford.

Attention should be called to Mr. W. A. Shaw's *Select Tracts and Documents Illustrative of English Monetary History, 1626 to 1730* (London, C. Wilson, 1895, pp. 260).

The fifth volume of *Social England*, edited by Mr. H. D. Traill, is expected to appear this summer. It will cover the period from the accession of George I. to the battle of Waterloo.

Under authority of the Secretary of State for India it is proposed to publish *in extenso* the early records of the East India Company, contained in the series of volumes known as the "O. C." Records. Messrs. Sampson Low, Marston and Co., publishers to the India Office, are receiving subscribers' names for the first series of ten volumes, to be issued half-yearly. The first volume, it is hoped, will be ready by the end of May, and will have an introduction by Mr. F. C. Danvers, Registrar and Superintendent

of Records at the India Office. The title given to the series is *Letters from the East, or India Office "O. C." Records; being Original Correspondence from India, with Collateral Documents, originating at any places between England and Japan, 1603 to 1708.*

Messrs. Longmans, Green and Co. announce an *Analytical Index to Sir John W. Kaye's "History of the Sepoy War," and to Colonel G. B. Malleson's "History of the Indian Mutiny."*

Noteworthy articles in periodicals: W. Stokes, *Les Annales de Tigernach* (Revue Celtique, October, January); L. Duchesne, *L'Historia Britonum* (*ibid.*, January); *The History of English Law before the Time of Edward I.* (Edinburgh Review, April); C. S. Taylor, *The Pre-Domesday Hide of Gloucestershire* (Transactions of the Bristol and Gloucestershire Archæological Society, XVIII. 2); Sir F. Pollock, *A Brief Survey of Domesday* (English Historical Review, April); F. Liebermann, *Magister Vacarius* (English Historical Review, April); F. W. Maitland, *A Song on the Death of Simon de Montfort* (English Historical Review, April); F. W. Maitland, *Wyclif on English and Roman Law* (Law Quarterly Review, January); Sir W. W. Hunter, *A Forgotten Oxford Movement, 1681* (Fortnightly Review, May); W. A. Steel, *William Paterson* (English Historical Review, April); Hon. G. Peel, *Sir Robert Peel* (Nineteenth Century, April).

#### FRANCE

The Abbé Féret, in the third volume of his *Histoire de la Faculté de Théologie de Paris*, treats of the history of the university in the fourteenth century: the colleges founded, the teachers, the discussions of the period, and the voluminous writings of the various doctors.

M. G. Saige, archivist of the principality of Monaco, has published from his archives a series of documents of much importance for the history of Lower Normandy from 1165 to 1329, and relating to a family interesting to English readers, namely, the *Cartulaire de la Seigneurie de Fontenay-le-Marmion* (Monaco, 1895, pp. 231).

An important and highly original work on the French finances of the thirteenth century is that of Colonel Borrelli de Serres, entitled *Recherches sur divers Services Publics . . . au XIII<sup>e</sup> Siècle* (Paris, Picard, 1895, pp. 612).

M. G. Lefèvre-Pontalis is preparing an extensive work on the English invasion of France in the fifteenth century.

M. Dreyfus-Brisach has lately brought out an edition of the *Contrat Social* (Paris, Alcan), with notes and other critical apparatus more extensive than in any previous edition.

Documentary material of great importance for the history of the Revolution is contained in the *Recueil de Documents relatifs à la Convocation des États Généraux de 1789*, of which M. A. Brette has published the

first volume in the *Collection des Documents inédits relatifs à l'Histoire de France*; and in the *Registre des Délibérations du Consulat Provisoire*, which M. Aulard has edited for the Société de l'Histoire de la Révolution Française.

The memoirs of General Lejeune, reviewed upon another page of this journal, have been translated into English by Mrs. Arthur Bell, and published by Messrs. Longmans, Green and Co.; Messrs. Macmillan and Co. publish a translation, by Albert D. Vandam, of Viscount Élie de Gontaut-Biron's *Mission to Berlin, 1871 to 1877*.

The archive-division of the ministry of foreign affairs has issued a third volume of its inventories in the series *Mémoires et Documents*, extending the inventory of the Fonds de France and the Fonds Divers from 1814 to 1830. In February, a fire at the war-office archives destroyed a great part of the reports of commissaries under the First Empire.

Noteworthy articles in periodicals: P. Imbart de la Tour, *Les Paroisses Rurales dans l'ancienne France, du IV<sup>e</sup> au XI<sup>e</sup> Siècle*, II. (*Revue Historique*, May); Th. Bouquillon, *The University of Paris*, III. (*Catholic University Bulletin*, January); Comte M. de Germiny, *Blanche de Castille, Reine de France* (*Revue des Questions Historiques*, April); J. Viard, *La France sous Philippe VI. de Valois* (*Revue des Questions Historiques*, April); J. Lemoine, *Du Guesclin à Jersey* (*Revue Historique*, May); Abbé Tauzin, *Louis XI. et la Gascogne* (*Revue des Questions Historiques*, April); Comte d'Haussonville, *La Duchesse de Bourgogne et l'Alliance Savoyarde sous Louis XIV.*, I. (*Revue des Deux Mondes*, April 15); M. Lenz, *Die Französische Revolution und die Kirche* (*Cosmopolis*, February); George Duruy, *Le Régime Directorial d'après des Documents Inédits* (*Revue des Deux Mondes*, March 15); *Le 18 Fructidor—Fragment des Mémoires Inédits de Barras* (*Revue des Deux Mondes*, April 1); G. Duruy, *Barras et le 18 Brumaire* (*Revue de Paris*, March 15); L. Lecestre, *La Guerre de la Péninsule (1807-1813), d'après la Correspondance Inédite de Napoléon I<sup>er</sup>* (*Revue des Questions Historiques*, April); Earl Cowper, *Memoirs of the Duc de Persigny* (*Nineteenth Century*, April).

#### ITALY, SPAIN, PORTUGAL

From the beginning of the present year, the *Rivista Storica Italiana* has taken on a new character. It prints no more body-articles, but only reviews, etc. It will appear every other month, and at a lower price than heretofore.

An important work on the archives of Italy is being prepared by G. Mazzatinti. It is expected to present an account of the printed or manuscript inventories of all the collections of archives in the kingdom, and detailed statements respecting those collections that have not yet been indexed.

Messrs. J. M. Battaglini and J. Calligaris are issuing (Turin, Bocca) a chronological index to the *Antiquitates Italicae Medii Aevi* and minor works of Muratori.

In the *Archivio della R. Società Romana di Storia Patria* for 1895, Fasc. I.-IV., among the leading contents are continuations of P. Savignoni's elaborate account of the historical archives of the commune of Viterbo, and of L. G. Pélissier's documents relative to the alliance of Alexander VI. and Louis XII. (1498 to 1499). Still more interesting and of great importance is the diary of Marcello Alberini (1521-1536), a document of the first order for the history of the sack of Rome and other events of the time. It is edited by Domenico Orano, who supplies an extensive historical introduction.

Count Ugo Balzani, in a little pamphlet reprinted from the transactions of the Accademia dei Lincei (*Di alcuni Documenti dell' Archivio del Santo Ufficio di Roma*), gives an interesting account, based on manuscript volumes of the Inquisition which have strayed to the library of Trinity College, Dublin, of the curious agitations raised, in spite of the lapse of a century, when in 1722 the body of Fra Paolo Sarpi was discovered at Venice, in large part undecayed.

The April number of the *Revista Crítica de Historia y Literatura Españolas*, etc., contains a list, with brief abstracts, of all articles relating to Spanish history that have appeared in the *Archivio Storico per le Provincie Napoletane* from its foundation, in 1876, to the present time.

There has been established at Madrid, under the editorial care of Sr. José Ramon Mélida, a journal called *Boletín de Archivos, Bibliotecas y Museos*.

The leading publications in Spanish history issued in 1893, 1894, and 1895 are reviewed by Konrad Häbler in the *Historische Zeitschrift*, LXXVI. 3.

#### GERMANY, AUSTRIA, SWITZERLAND.

The fourth congress of German historical scholars will be held at Innsbruck, September 11-14. An anthropological exhibition for northern Bavaria will be maintained this summer at Nuremberg.

The first *Lieferung* of *Regesta Imperii XI.: Die Urkunden Kaiser Sigmunds (1410-1437)*, edited by Wilhelm Altmann, has appeared (Innsbruck, Wagner).

Messrs. Kegan Paul, Trench, Trübner and Co. have begun the publication of a translation of Janssen's *Geschichte des deutschen Volkes*, by M. A. Mitchell and A. M. Christie.

In the section of the Berlin Academy's *Acta Borussica* dedicated to the history of Prussian administration, W. Naudé has brought out the introductory volume of a series on the Prussian corn-laws: *Die Getreide-*

*handelspolitik der europäischen Staaten vom 13. bis zum 18. Jahrhundert, als Einleitung in die preussische Getreidehandelspolitik* (Berlin, Parey, pp. xvi, 443).

The four hundredth anniversary of Melanchthon's birth will be celebrated on February 16, 1897, at his birthplace, Brettin in Baden. The foundation of a Melanchthon Museum on the site of the house in which he was born is contemplated.

Professor Th. Kolde has printed, in a single handy volume, the Augsburg Confession in Latin and German, with notes, and with five appendices containing the Marburg, Schwabach, and Torgau articles, the *Confutatio Pontificia*, and the *Augustana* of 1540 (*Die Augsburger Konfession*, etc., Gotha, F. A. Perthes, pp. 224).

Volume LXIV. of the *Publikationen aus den königl. preussischen Staatsarchiven* is a special volume of Pomeranian history by Archivist Dr. Max Bär, *Die Politik Pommerns während des dreissigjährigen Krieges* (Leipzig, S. Hirzel, pp. xi, 503).

The recent historical literature of Bohemia is reviewed by J. Goll in the May number of the *Revue Historique*.

A lavishly illustrated history of the Austrian army, from the year 1700 to 1867, is announced by Emil Berté and Co. and S. Czeiger of Vienna for publication in twenty-five parts. The parts will each contain from three to four sheets of letter-press, and four or five fac-similes of the water-color illustrations, beside numerous engravings in the text, and will appear at intervals of two or three months.

Dr. Gaspard Wirz, after prolonged researches in Italian archives, especially those of the Vatican, has published an important series of documents concerning the relations between Switzerland and the Papacy in the earlier part of the sixteenth century, *Akten über die diplomatischen Beziehungen der römischen Curie zu der Schweiz, 1512-1552*. It forms Vol. XVI. of the *Quellen zur Schweizer Geschichte* (Basel, Geering, 1895, pp. li, 534).

Noteworthy articles in periodicals: Schäfer, *Die Beurtheilung Heinrich's des Löwen* (*Historische Zeitschrift*, LXXVI. 3); F. W. E. Roth, *Zur Geschichte der Meistersänger zu Mainz und Nürnberg* (*Zeitschrift für Kulturgeschichte*, III. 4, 5); K. Jany, *Lehndienst und Landfolge unter dem grossen Kurfürsten* (*Forschungen zur Brandenb. und Preuss. Geschichte*, VIII. 2); O. Hintze, *Preussische Reformbestrebungen vor 1806* (*Historische Zeitschrift*, LXXVI. 3); P. Matter, *Le Sonderbund* (*Annales de l'École Libre des Sciences Politiques*, — January); H. Grimm, *Heinrich von Treitschke und seine deutsche Geschichte* (*Deutsche Rundschau*, January).

#### NETHERLANDS AND BELGIUM.

The Dutch government has made a grant for researches in the French archives with reference to Dutch history. M. Gédéon Huet, of Paris, will

first make, under the direction of Professors R. Fruin and P. J. Blok, a provisional list of diplomatic documents relating to Dutch history to be found in Parisian archives.

The Queen-Regent of the Netherlands has ordered the erection, in the palace park of the Hague, of a building, constructed after the most approved modern devices, to contain the archives of the family of Orange-Nassau. It is expected to be open to the public by the end of the year 1897.

The historical society of Utrecht has published the accounts of the ancient guilds of Dordrecht (1438-1600), with an introduction by Mr. Overvoorde, and the most ancient accounts of the city of Groningen, edited by Professor P. J. Blok.

An important chapter in the history of early printing will be elucidated by a work announced by Mr. E. W. Moes, Assistant Librarian of the University of Amsterdam, entitled *De Amsterdamsche Boekdrukkers en Uitgevers in de Zestiende Eeuw*.

The municipal council of Rotterdam have published, under the editorial care of Messrs. Unger and Bezemer, archivists of the city, the second volume of their great documentary collection, *Bronnen voor de Geschiedenis van Rotterdam*. It contains chronicles of the sixteenth and seventeenth centuries, annotated, and accompanied by an atlas of plans of the city during those two centuries.

Mr. Fockema-Andreæ, of Leiden, has brought out a new and admirably annotated edition (Leiden, Brill) of the classic *Inleiding tot de Hollandsche Regtsgeleerdheid* of Hugo Grotius.

A new half-volume of the *Fontes Rerum Austriacarum*, XLVIII. 1 in the series *Diplomata et Acta*, contains the letters of the Archduchess Marie Christine, regent of the Netherlands, to Leopold II. (Vienna, C. Gerold's Sohn, pp. cxxi, 360), with an introductory essay by the editor, Dr. Hanns Schlitter, on the policy of that emperor toward France.

Noteworthy articles in periodicals: G. Edmundson, *The Dutch Power in Brazil*. I. *The Struggle for Bahia, 1624-1627* (English Historical Review, April); E. Wertheimer, *Un projet de Divorce entre Louis Bonaparte et la Reine Hortense* (Revue Historique, May).

#### NORTHERN AND EASTERN EUROPE.

Mr. Ludvig Wimmer, who has been for many years occupied with the study of the Danish runic inscriptions, and has, it seems, personally visited, in company with an artist, all that are known, 224 in number, has now brought out, as the result of his researches, the first volume of a monumental illustrated collection entitled *De Danske Runemindesmærker* (Copenhagen, Gyldendal, 1895). This volume covers the inscriptions dealing with historical persons and events.



The recent historical literature of Denmark is reviewed by J. Steenstrup in the *Revue Historique* for May. The most important books commented upon (and with high praise) are: J. A. Fredericia, *Adelstvaldens sidste Dage* (1648-1660); A. D. Jørgensen, *Peter Schumacher Griffensfeld*; E. Holm, *Danmark-Norges Historie under Kristian VI.* (1730-1746); and M. Rubin, *Frederik VI.'s Tid* (1814-1839); also, in a different field, Finnur Jonsson, *Den Oldnorske og Oldislandske Litteraturs Historie*, Vol. I., which expresses views quite opposed to those made familiar by Professor Sophus Bugge.

Under the title *Svenska Skriftprof* Messrs. Emil Hildebrand, Alg. Boertzell, and H. Wieselgren have begun the publication of a collection of specimens of Swedish manuscript. The first number is devoted chiefly to the Middle Ages, and includes documents, mostly drawn from the archives of the kingdom, from the period of St. Eric to modern times.

The St. Petersburg Academy of Sciences intends to begin issuing a publication presenting the most important unprinted documents from the archives respecting the history of Russia in the sixteenth, seventeenth, and eighteenth centuries. The series will form a supplement to those of the acts of the Muscovite government and the decisions of the Senate already published.

M. G. Schybergson's history of Finland, translated from the Swedish into German, has begun to appear in the Heeren and Ukert series, *Geschichte der europäischen Staaten* (Gotha, F. A. Perthes, Abth. I., pp. xxiv, 663).

Mr. Xenopol, professor at Jassy, has published a history of Rumania in two volumes, *Histoire des Roumains de la Dacie trajane* (Paris, E. Leroux), drawn from his more extensive, and standard, *Istoria Romanilor*. Volume I. extends from B.C. 513 to A.D. 1633; Vol. II. from the latter date to the union of Moldavia and Wallachia in 1859.

Under the auspices of the ministry of public instruction in the kingdom of Rumania, N. Jorga has just published the first volume of a series entitled *Actes et Fragments relatifs à l'Histoire des Roumains, rassemblés dans les Dépôts de Manuscrits de l'Occident*, gathered chiefly in Paris and Berlin (Bucharest, 1895, pp. lxii, 400).

#### AMERICA.

A meeting at Washington, on April 24, organized a Southern History Association, the objects of which are: the encouragement of original research, discussion, conference among members, the widening of personal acquaintance, the collection of historical materials, and publication of results. Hon. W. L. Wilson, postmaster-general, was chosen president of the new Association. The vice-presidents are Dr. J. L. M. Curry, Gen. M. C. Butler, Gen. Marcus J. Wright, Hon. John R. Procter, Mr. Thomas Nelson Page, and Prof. Woodrow Wilson. The secretary is Dr. Colyer Meriwether, and the treasurer Mr. Thomas M. Owen.

The Scotch-Irish Society held its annual congress at Harrisburg, Penn., May 6-8.

The *Proceedings of the American Antiquarian Society*, Vol. X., Part II., contain the transactions of the meeting of October 23, 1895. Dr. Egbert C. Smyth contributed an interesting paper on Some Early Writings of Jonathan Edwards. There are two bibliographical papers: that by Mr. Nathaniel Paine, the separate issue of which is reviewed elsewhere in these pages, and one by Dr. Justin Winsor on the Literature of Witchcraft in New England. Dr. Philipp J. J. Valentini contributes an analysis of the pictorial text inscribed on two Palenque tablets, and Mr. Edward H. Thompson a paper on the Ancient Tombs of Palenque. The number also contains remarks of Senator C. K. Davis on the newer northwestern states, and of Mr. C. F. Adams on the battle of Bunker Hill.

The second volume of Mr. E. J. Payne's *History of the New World called America* may be expected from the Clarendon Press this spring.

It is now expected that the admirable edition of the *Jesuit Relations*, proposed by Messrs. Burrows Brothers, will begin to appear in August. The series will consist of about sixty volumes. Seven hundred and fifty sets will be printed. We have already described the undertaking. The editor, Mr. Reuben G. Thwaites, will furnish an introduction containing a summary of the labors of the Jesuit missionaries in New France, and an account of the Relations themselves, their bibliography, and their historical value. Each volume will have its own bibliographical matter, and lives of the respective Fathers. An elaborate index will be provided. The publication will embrace, with translations and notes, not only the matter of the Cramoisy, Shea, and O'Callaghan volumes, but all other important cognate documentary materials.

One of the most useful of recent government publications is the new *Check-List of Congressional Documents from the First to the Fifty-third Congress and various Miscellaneous Publications of the U. S. Government Departments* (Washington, Government Printing Office, pp. 222).

The first volume of the messages, addresses, and proclamations of the Presidents, compiled under authority of Congress by Representative Richardson of Tennessee, may be expected shortly. The work will embrace all annual, special, and veto messages, inaugural addresses, and proclamations of the Presidents from the beginning of the government down to the close of the present administration. A certain portion will consist of material hitherto unpublished; for the Senate has recently removed the injunction of secrecy from all executive messages since the end of Johnson's term, in order that Mr. Richardson might have access to them. The first volume will include the administrations of Washington, Adams, Jefferson, and Madison.

Messrs. G. P. Putnam's Sons have begun the issue of a new edition, in four volumes, of the collection of *American Orations*, originally edited by

the late Professor Alexander Johnston. The new edition is edited and annotated by Professor James A. Woodburn, of Indiana University. In the first volume, which has now appeared, Madison's speech on the adoption of the Constitution in the Virginia Convention is, with good reason, substituted for that of Patrick Henry. Other additions consist of Otis's speech on the Writs of Assistance, and speeches of Samuel Adams, Gallatin, and Benton. The revised edition is intended to be purely a collection of specimens of political oratory. Biographical and historical notes and references are added.

The latest issue (No. 65) in the series of *Old South Leaflets* consists of Washington's fourteen letters to the various religious bodies which congratulated him upon his election. They furnish an interesting evidence of his breadth of view in religious matters, and of his liberal spirit toward Roman Catholics, Jews, Quakers, Baptists, etc.

The present year's series of *Johns Hopkins University Studies in Historical and Political Science* has opened with the following numbers: Henry E. Chambers, *The Constitutional History of Hawaii*; Thaddeus P. Thomas, *The City Government of Baltimore*; F. L. Riley, *The Colonial Origins of New England Senates*; John S. Bassett, *Slavery and Servitude in the Colony of North Carolina, 1663 to 1865*. The next forthcoming numbers will be by J. A. C. Chandler, on *Representation in Virginia*; and by F. R. Jones, on the *History of Taxation in Connecticut, 1636 to 1776*.

The third volume of M. Auguste Moireau's *Histoire des États-Unis*, covering the period from 1800 to 1829, is ready for the printer, and may be expected to be issued some time this year.

Messrs. G. P. Putnam's Sons, who have published in uniform series the modern editions of the writings of Hamilton, Franklin, Washington, Jay, Jefferson, and Rufus King, announce that the series will be continued by the publication of the writings of James Monroe, in four volumes, edited by Mr. S. M. Hamilton, who has for some years had charge of the historical manuscripts in the Department of State at Washington. The first volume is expected to be ready early in 1897.

George P. Humphrey, Rochester, N. Y., has reprinted the scarce *History of the American Troops, during the Late War, under the Command of Colonels Fenton and Campbell, giving an account of the crossing of the Lake from Erie to Long Point; also, the crossing of Niagara by the troops under Generals Gaines, Brown, Scott, and Porter; the taking of Fort Erie, the battle of Chippewa, the imprisonment of Colonel Bull, Major Galloway, and the author (then a captain), and their treatment; together with an historical account of the Canadas*, printed in 1830 in Baltimore, by the author, Samuel White, of Adams County, Pennsylvania. The edition is limited to three hundred copies.

The annual report of the treasurer of the Massachusetts Historical Society indicates the possession by that society of property amounting to nearly \$300,000. About half of this consists of real estate.

The town of Dedham, Mass., has voted an appropriation with which to publish a fifth volume of its ancient records, edited by Mr. Don Gleason Hill, and covering the period from 1673 to 1700.

At the close of last year, the Board of Estimate and Apportionment in the government of New York City appropriated \$7000 for the printing of the Dutch records of New Amsterdam. At a meeting of the Board of City Record on May 7, the Counsel to the Corporation was directed to enter into a contract with the Knickerbocker Press for the publication of a translation of these records in seven volumes, including one volume of index. Two hundred sets will be printed for the city, and probably a hundred more for public sale. The work of the publication will be done mainly under the supervision of a committee appointed by the mayor, some months ago, for the purpose, and including General James Grant Wilson, General Isaac Townsend Smith, and Messrs. Willis L. Stone, Edward F. deLancey, and Charles Burr Todd. It seems to us that the edition might well be larger, and that, unless the translation is made better than most American official translations, accurate scholars will find great reason to regret that the Dutch text is not printed with it.

A movement is on foot for persuading the common council of Brooklyn to engage upon an extensive search for materials for the history of Brooklyn from 1623 to 1780. It is proposed that the search be made in Albany, Washington, London, Amsterdam, and elsewhere.

The April number of the *Virginia Magazine of History and Biography* is, as usual, chiefly made up of documents for the history of the seventeenth century. Chief among these are the Defence of Colonel Edward Hill, and the Letters of William Fitzhugh, both continued, and the beginning of a series of Decisions of the Virginia General Court, taken from the late Conway Robinson's transcripts of the original records of the Court; the records have perished since Mr. Robinson made his excerpts.

The Society of the Colonial Dames of America in the State of Virginia propose to publish in a limited edition a complete and exact copy of the parish register of Christ Church Parish, Middlesex County, Virginia. The volume extends from 1663 to 1767, and is to be furnished with a complete index. Subscriptions are to be sent to Mrs. Lucy C. Trent, 205 East Main Street, Richmond.

The April number of the *William and Mary College Quarterly* is largely given up to a reprint of the records of the Phi Beta Kappa Society from its foundation in 1776 to the British invasion of 1781, with illustrative matter by President Lyon G. Tyler.

The Great Bridge Chapter (Norfolk, Va.) of the Daughters of the American Revolution have provided the Virginia Historical Society with money to be expended in copying the first volume of the records of Lower Norfolk County, now kept at Portsmouth. The manuscript copy is to be kept among the archives of the Virginia Historical Society.

In the *Lower Norfolk County, Virginia, Antiquary*, No. 1, part 3, published by Mr. Edward W. James, the most interesting matters are a list of slave owners in Princess Anne County in 1810, a series of documents respecting the history of the Church in Lower Norfolk County from 1637 to 1640, and a collection of lists of books derived from the inventories of the oldest wills in that county.

The Filson Club of Louisville has issued, as the eleventh of its Publications, a history of the once famous Transylvania University, by the late Dr. Robert Peter and his daughter, Miss Johanna Peter, *Transylvania University: its Origin, Rise, Decline, and Fall* (Louisville, John P. Morton and Co., 202 pp.), an interesting and worthy memorial of an ancient and influential institution.

The *American Historical Magazine* (Nashville, Tenn.) for April contains an article on the so-called Mero District; an unpublished account of the capture of Aaron Burr, by the captor, Major Nicholas Perkins, with accompanying documents; and a continuation of the important and interesting correspondence of General James Robertson.

The third issue in the series of the Parkman Club Publications is an interesting account of the Chevalier Henry de Tonty, by Mr. Henry E. Legler; the fourth, The Aborigines of the Northwest, by Mr. Frank T. Terry; the fifth, an account of Jonathan Carver, by Mr. J. G. Gregory.

In the April number of the *Annals of Iowa*, the two chief articles are one by Hon. M. M. Ham, on The First White Man in Iowa (Julien Dubuque), and one by Charles Aldrich, on the late General Ed Wright.

Noteworthy articles in periodicals: Comte L. Rioult de Neuville, *La Colonisation du Canada* (Revue des Questions Historiques, April); H. M. Jenkins, *The Family of William Penn*, I. (Pennsylvania Magazine of History, April); *Leaves from the Journal of Dr. Ezra Stiles, 1776* (New England Magazine, May); W. C. Ford, *Defences of Philadelphia in 1777* (Pennsylvania Magazine of History, April); W. S. Baker, *Washington after the Revolution, 1784-1799* (*ibid.*, April).